

Practice Note No.15

Water Safety

Revised October 2005



Access to Services

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1. Introduction

Practice Note No. 15 has been prepared by the Department of Local Government to assist councils in exercising their water safety functions. The Practice Note is primarily concerned with swimming pools on public land and beaches, although it is also relevant for other waterways under council control that are used by the public, such as rockpools, sea baths, estuaries and lakes.

This Practice Note has been revised (from the December 1998 version) to ensure it reflects current knowledge levels, training standards and legislative requirements. It also incorporates additional material and updated reference sources to assist councils in carrying out their water safety responsibilities.

Public swimming pools and beaches 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.

While provision of beaches and public swimming pools is a worthwhile and popular undertaking, councils have a responsibility to ensure that adequate safeguards are in place to minimise the risk of injury and death that can be associated with the water. Local councils would already be familiar with this activity as one deserving considerable attention from a risk management perspective.

The *Local Government Act 1993* does not prescribe any minimum requirements for water safety. However, in recognition of the priority placed by the NSW Government on ensuring that beaches, public swimming pools and other waterways are safe for all users, the Department of Local Government has prepared this Practice Note to assist councils to carry out their water safety functions.

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

With regard to swimming pools on public land, this Practice Note is equally relevant to pools that a council manages from its own resources and to those that are managed by another person or body under a lease, licence or other arrangement involving the land and/or the facility.

With regard to beaches, the Practice Note is also equally relevant where the life saving function is carried out by council employed lifeguards, or by contracted lifeguards, or by a volunteer surf life saving club, or by a combination of these.

This Practice Note has been prepared and reviewed in consultation with a number of organisations involved in water safety. These organisations are listed in Section 9 Further Resources, together with details of publications, guidelines and other information sources referred to the Practice Note. Councils are encouraged to refer to these organisations and reference sources for further assistance.

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

Under the *Local Government Act*, councils have the power to:

- provide facilities 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)
- control various activities (Part 2, Chapter 16)

The Practice Note has been prepared in the context of the NSW Government's NSW Coastal Policy (1997) and the Sydney Regional Coastal Management Strategy (1998).

The NSW Coastal Policy aims to guide management, planning and conservation of the NSW coastal zone. It recognises the important role local councils play in this area. One of the policy goals that is especially relevant to water safety is to provide for appropriate public access and use. This includes the following objectives:

To increase public access to foreshores when feasible and environmentally sustainable options are available.

To ensure risks to human safety from the use of coastal resources is minimised.

The Sydney Regional Coastal Management Strategy supplements the NSW Coastal Policy by aiming to guide coastal planning, management and conservation activities in the coastal zone between Pittwater and Sutherland local government areas. One of the Strategy's guiding principles which is particularly relevant to water safety is:

Controlled public access to the coast, including beach, foreshore and marine 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.

It should be noted that the Waterways Authority is responsible for navigation on all waterways in NSW. 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.

The Waterways Authority can provide exemptions from its legislation to members of Surf Life Saving NSW and persons employed or contracted to councils to provide lifeguard services. Councils should consult with the Waterways Authority if any action taken may impact on navigation.

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

- Competitive Tendering Guidelines
- Environmental Guidelines. State of the Environment Reporting by Local Government. Promoting Ecologically Sustainable Development
- Pricing and Costing for Council Businesses. A Guide to Competitive Neutrality
- Social and Community Planning and Reporting Guidelines and Social and Community Planning and Reporting Manual.

3. What are a council's water safety functions

Councils have two main water safety functions:

- the performance of life saving activities
- the performance of regulatory activities

3.1 Life saving activities

Under the Local Government Act, the council can delegate the life saving function. This means that the life saving function can be performed by:

- council employees. Schedule 1 of the *Industrial Relations Act 1996* deems swimming pool managers and supervisors engaged under contract or lease 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
- any other 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

Councils will need to determine which mechanisms are the most appropriate to adequately carry out the life saving function in their local area. This will involve a decision as to whether the function will be carried out by a council employee, contractor, volunteer, or a combination of these. Further information on contracting out services can be obtained from the Department of Local Government's guidelines relating to competitive tendering and to costing of business activities¹.

3.2 Regulatory activities

The power of a council to regulate activities at beaches, public swimming pools and other waterways under its control derives from various sections of the Local Government Act. Functions that may be exercised by a council under this power are those that:

- involve the provision of a service under section 24 and are therefore able to be delegated. This includes:
 - the provision of rescue services

1. See Reference Section page 28–29 for Endnotes.

- the placement of any signs, provided they are consistent with Australian Standard AS2416–2002 and the council has approved their use. This includes regulatory signs such as swimming prohibited signs, and information signs such as the red and yellow flags and surfcraft permitted signs
- general patrolling
- educational activities
- are of a regulatory nature and are therefore not able to be delegated, except in the specific case of the power to confiscate water-based recreational equipment. This includes:
 - issuing penalty notices. 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*)
 - taking legal proceedings with regard to breaches of signs erected under sections 632 and 633 of the *Local Government Act 1993*. 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*)
 - demanding the name and address of a person who commits an offence under the Act (section 680 of the *Local Government Act*)
 - removing a person committing an offence against the Local Government Act on community land (section 681 of the *Local Government Act*). It should be noted that community land is specifically defined by the Act and rarely applies to beaches

Law enforcement is a core function of government and for this reason the delegation by councils of the power to issue penalty notices or to institute legal proceedings to other bodies is limited to council employees and police officers. Members of volunteer surf life saving clubs and employees of organisations providing contracted life saving services may still provide evidence to authorised council officers or police in their capacity as witnesses to an alleged offence.

Special provisions in the *Local Government Act* allow councils to delegate the power to confiscate water-based recreational equipment to a member of a volunteer surf life saving club and/or an employee of an organisation providing contracted life saving services.

Councils remain responsible for the exercising of their regulatory responsibilities when they have delegated their authority to a member of volunteer surf life saving club and/or an employee of an organisation providing contracted life saving services.

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 implications of the *Security Industry Act 1997* in carrying out regulatory activities in relation to beaches, public swimming pools and other waterways under their control. These implications are outlined in the Local Government Association and Shires Association's Local Government Weekly Circular 39/98 of 2 October 1998.

3.3 Service agreements

Some councils have written service agreements in place with surf life saving clubs. Service agreements 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

Service agreements can also establish funding arrangements and include performance standards.

4. A risk management approach to water safety

Councils should adopt a risk management approach to water safety, or some other approach that is systematic and comprehensive in identifying water safety risks and developing strategies to address these risks. Many councils have adopted a risk management approach based on the Australian Standard for Risk Management—AS4360–1999².

A risk management approach, or any other approach concerned with water safety, will need to consider a number of factors.

In regard to public swimming pools, factors that should be considered 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 and shape of pools
- nature of activities available such as diving towers and water slides, aquarobics, and learn-to-swim classes
- occupational health and safety issues for employees and/or contractors

In regard to beaches and other waterways, factors to be considered include:

- number of users
- characteristics of users, for example, age and swimming ability
- location, for example, its 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
- seasonality, including holiday periods which may occur outside normal patrolled times
- occupational health and safety issues for employees and/or contractors
- characteristics of beaches, such as rips and other surf conditions, and the location of rocks and other hazards. Councils may consider using an existing audit tool to identify hazards. For example, the Aquatic Risk and Safety Audit was developed as a result of the number of drownings that resulted in litigation against local councils³. Some councils have developed their own audit tools.⁴

It is the responsibility of the council to determine 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.

Councils should ensure they adequately document the process and the basis upon which such decisions are made.

The implementation of any risk management or other program concerned with water safety should be monitored to ensure that the program remains appropriate and effective. Monitoring should be regular and ongoing, and the program revised, if necessary.

Councils should note they remain responsible for the effective implementation of any risk management program regardless of whom they have delegated the life saving function to.

Additional information and resources relating to risk management are included in Section 9 Further Resources.

5. Training of water safety personnel

Regardless of whom the life saving function is delegated to, it is the council's responsibility to ensure that those carrying out the function have the life saving skills necessary to adequately address the risks associated with the characteristics of the public swimming pools, beaches, and other still water environments (particularly those areas that are known swimming locations) under council's control (see Section 4 A Risk Management Approach to Water Safety).

The Practice Note sets out recommended **minimum** standards for the training of water safety personnel.

This does not preclude councils from adopting higher standards if these are considered appropriate. Indeed, because of the characteristics of their public swimming pools, beaches and/or other still water environments, many councils have adopted higher standards. For further information about the recommended minimum and higher standards of water safety training, it is suggested that councils contact one of the relevant organisations identified in Section 9 Further Resources.

Councils should be committed to the ongoing training of water safety personnel. Training certificates and physical fitness only remain current for a short period of time as skills need to be practised continually. Consequently, councils should ensure that personnel are provided with frequent opportunities to practise their emergency management and physical fitness skills.

It is also noted that personnel should update their certificates, through participation in re-accreditation or professional development programs, in accordance with industry recommendations.

Separate standards are set out below for public swimming pools and other still water environments and for beaches, because staff require somewhat different qualifications.

5.1 Public swimming pools and other still water environments

It is important that councils ensure that any third party, whether a private owner or a lessee of a swimming pool, who executes a contract between them and the council considers the recommendations within this Practice Note. This includes learn to swim pools, school pools and public leased pools. Any

school that uses an aquatic environment from the following categories should be using sections of the NSW Department of Education and Training’s ‘Guidelines for the Safe Conduct of Sport and Physical Activity in Schools’, which relate to water safety.

Councils are encouraged to advocate that any person participating in an aquatic activity be supervised by a qualified person (eg. 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 Council encourage patrons to never swim or undertake an aquatic activity alone.

For the purposes of this Practice Note, aquatic facilities should be defined in accordance with the following 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 eg. 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.
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 eg. 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 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).

In accordance with sound risk management practices, it is important that councils maintain clear and concise documentation on the process of determining why a facility under the council’s control was included in a particular category.

Once councils have determined the category of the public swimming pools and still water environments within their boundaries, consideration should then be given to the standards to apply for each category in terms of qualifications, number of personnel, equipment and signage.

Councils should ensure that, if multiple activities occur at the same time in any of the above category swimming locations (eg. school usage, lap swimming, scuba diving), the person responsible for supervising each activity has the qualifications appropriate for that activity.

5.1.2 Qualifications for managers/operators, supervisory personnel and pool attendants/lifeguards

Appendix 2 provides a detailed guide for councils, by category of aquatic facility, of the definition and recommended minimum training standards for the facility/centre manager/operator, supervisory personnel and pool attendant/lifeguard, together with the recommendations for safety equipment and signage. Appendix 3 provides a list of competencies and descriptions for the standards.

5.1.3 Qualifications for 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 as a recommended **minimum** standard of training for learn-to-swim teaching staff the following qualifications:

- general:
 - AUSTSWIM Teacher of Swimming and Water Safety certificate or the equivalent industry qualifications
 - For the list of competencies together with descriptions see Appendix 3.
- specialist areas:

- the AUSTSWIM Teacher of Infant Aquatics certificate, or the equivalent industry qualifications
- the AUSTSWIM Teacher of People with Disabilities certificate, or the equivalent industry qualifications
- For the list of competencies together with descriptions see **Appendix 3**.
- competitive swimming coaching:
 - Australian Swimming Coaching Qualification, or the equivalent industry qualifications
- 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.

5.2 Beaches

In determining the appropriate standard of training of 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 6 Number of Trained Water Safety Personnel
- 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** or the Certificate III in Public Safety (Aquatic Search and Rescue)⁵ or equivalent, from a registered training provider. Competencies for the Certificate III in Public Safety are also included in **Appendix 4**
- where the life saving function is carried out by a volunteer surf life saving club—a current Surf Life Saving Australia Bronze Medallion or the Certificate II in Public Safety (Aquatic Rescue) or equivalent, from a registered training provider, along with an appropriate certificate/award, from a registered training provider, relating to the rescue equipment under their care and control
- **regardless of who carries out the life saving function**, a current senior first aid certificate from a registered training provider with an aquatic focus
- **regardless of who carries out the life saving function**, a current advanced resuscitation certificate, which includes the use of oxygen, from a registered training provider whose programs meet the guidelines of the Australian Resuscitation Council.

The certificate/award 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.

6. 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 4 A Risk Management Approach). Other considerations include equipment used, occupational health and safety, and child protection.

The limitations of one person being on duty should be carefully considered. For example, the area may not be under visual surveillance during a rescue or when the person is carrying out first aid.

Where only one person is on duty, the council should ensure that emergency support is available and arrangements are in place so that it can be immediately summoned. The support might consist of community members who have appropriate training, or an appropriate emergency service such as ambulance.

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 AS2416–2002
- 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 9 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
- The *Child and Young Persons (Care and Protection) Act 1988*, 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
- The *Child Protection (Prohibited Employment) Act 1988*, which 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 *Ombudsman Amendment (Child Protection and Community Services) Act 1998*, 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.

7. 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.

As a **minimum**, a council should consider providing the following equipment and facilities:

- 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 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 AS2416-2002⁶
- a device to warn the public about potential danger. This can include a whistle and/or a loudspeaker/PA system
- 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 equipment and facilities for each aquatic facility category.

Any equipment or facilities should:

- comply with the requirements of the current NSW Occupational Health and Safety Act
- 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
- 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.

Signage is an essential tool for councils to perform their water safety functions. Councils are required, under section 41 of the current Local Government (General) Regulation, to ensure that all signage used by a council to control bathing and other related recreational activities complies with the requirements of Australian Standard AS 2416 (2002)—*Design and Application of Water Safety Signs*.

A manual, *Information Signs as Remote Supervision*⁷, has been prepared that 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.

Councils are also encouraged to use *Safety in Swimming Pools—Guidelines for Safe Pool Operation* in relation to water safety signs at public swimming pools⁸.

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.

A number of the organisations listed in Section 9 Further Resources can provide councils with further information and guidance about water safety equipment, facilities and signage.

8. Other safety considerations

Other aspects of water safety that councils should consider include:

- attention to the design of equipment and facilities, the use of appropriate surface materials and regular maintenance⁹
- provision of shade protection¹⁰. This includes providing sun protection initiatives for employees and contractors in accordance with councils' duty of care under the NSW Occupational Health and Safety Act requirements¹¹
- a clear and practised procedure for dealing with emergencies, including emergency signals and evacuation plans¹²
- effective strategies for ensuring that young children are adequately supervised at public swimming pools. 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
- policies and practices in relation to change rooms. Different change room arrangements are described in **Appendix 5**, along with options in relation to addressing the use of single sex change rooms by children of the opposite sex. The advent of mobile phones with photographic capability also raises issues associated with child protection and privacy that councils may need to address
- 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".¹³

9. Further resources

Section 1 – Organisations that participated in the development and review of Practice Note No. 15

Aquatic and Recreation Institute

PO Box 462
LITHGOW NSW 2790
Phone: (02) 6352 5409
Fax: (02) 6352 3693
Email: admin@ariaust.com

Australian Professional Ocean Lifeguard Association (APOLA)

PO Box 3512
WAMBERAL NSW 2260
Phone: (02) 4385 5267
Fax: (02) 4385 5267
Email: info@apola.asn.au
Website: www.apola.asn.au

Australian Red Cross (NSW)

159 Clarence Street
SYDNEY NSW 2000
Phone: (02) 9229 4111
Fax: (02) 9229 4165

AUSTSWIM (NSW)

PO Box 6396
ALEXANDRIA NSW 2015
Phone: (02) 8594 1122
Fax: (02) 8594 1124
Email: nsw@austswim.com.au
Website: www.austswimnsw.com.au

Jardine Group

GPO Box 7003
SYDNEY NSW 2001
Phone: (02) 9320 2770
Fax: (02) 9320 2799

NSW Department of Tourism, Sport and Recreation
Manager Facility Design and Development
PO Box 1422
SILVERWATER NSW 2138
Phone: (02) 9006 3700

Royal Life Saving Society Australia (NSW)
PO Box 753
GLADESVILLE NSW 1675
Phone: (02) 9879 4699
Fax: (02) 9879 4644
Website: www.nsw.royallifesaving.com.au

Surf Life Saving NSW
PO Box 430
NARRABEEN NSW 2101
Phone: (02) 9971 2736
Fax: (02) 9984 7199
Email: experts@surflifesaving.com.au

Waterways Authority
PO Box R228 Royal Exchange
SYDNEY NSW 1223
Phone: (02) 9563 8511
Fax: (02) 9563 8600
Email: enquiries@waterways.nsw.gov.au
Website: www.waterways.nsw.gov.au

Councils:

Berrigan Shire Council
Coffs Harbour Council
Gosford City Council
Hastings Shire Council
Lake Macquarie City Council
Manly City Council

Newcastle City Council
Shoalhaven City Council
Sutherland Shire Council
Warringah Council
Wyong City Council

Section 4 – Risk Management Resources

Australian Lifeguard Services

PO Box 430

NARRABEEN NSW 2101

Phone: (02) 9971 2736

Fax: (02) 9984 7199

Email: experts@australianlifeguards.com.au

- For advice on access to and use of safety auditing tools, risk rating of beaches and Lifeguard Risk Management Services

Australian Professional Ocean Lifeguard Association (APOLA)

- See Section 1 above for contact details
- For advice on access to and use of safety audit tools

Jardine Group

- See Section 1 above for contact details
- As the primary insurer of local government in NSW, Jardine Group can provide advice on a range of insurance and risk related matters

Standards Australia

GPO Box

SYDNEY NSW 2001

Phone: (02) 8206 6000

Email: mail@standards.org.au

Website: <http://www.standards.org.au>

- To obtain copies of AS4360 Risk Management

Surf Life Saving NSW

- See Section 1 above for contact details
- For advice on risk rating of beaches

Royal Life Saving Society Australia (NSW)

- See Section 1 above for contact details
- For advice on risk management of public swimming pools

Wollongong City Council

Manager, Recreation and Natural Resources

Phone: (02) 4227 7230

Email: env&rec@wollongong.nsw.gov.au

- For advice on Council's Corporate Asset Protection Scheme (CAPS)

Section 5 – Training Standards

Aquatic and Recreation Institute

- See Section 1 above for contact details
- For advice on swimming pools

Australian Professional Ocean Lifeguard Association (APOLA)

- See Section 1 above for contact details
- For advice on beaches

Australian Red Cross (NSW)

159 Clarence Street
SYDNEY NSW 2000
Phone: (02) 9229 4111
Fax: (02) 9229 4165

- For advice on first aid and resuscitation training

AUSTSWIM (NSW) Inc.

- See Section 1 above for contact details
- For advice on learn-to-swim programs and swimming teacher training
- For advice on swimming teacher staffing

National Heart Foundation (NSW)

Level 4
407 Elizabeth Street
SURRY HILLS NSW 2010
Phone: (02) 9219 2444
Fax: (02) 9219 2424

- For advice on resuscitation training

National Training Information Service

Website: www.ntis.gov.au

- For advice on the Certificate III in Public Safety (Aquatic Search and Rescue) including registered training providers of the course

NSW Department Education and Training

School Sports Unit

Locked Bag 1530

BANKSTOWN NSW 2200

Phone: (02) 9707 6900

Fax: (02) 9707 6999

Email: schoolsportunit@det.nsw.edu.au

- For advice on water safety for schools and school groups

NSW Department of Tourism, Sport and Recreation

6 Figtree Drive

HOME BUSH BAY NSW 2127

Phone: (02) 9006 3700

Fax: (02) 9006 3800

Email: info@dsr.nsw.gov.au

Website: <http://www.dsr.nsw.gov.au>

- For advice on water safety for schools and school groups

Royal Life Saving Society Australia (NSW)

- See Section 1 above for contact details
- For advice on swimming pools
- For advice on first aid and resuscitation training
- For advice on aquatic rescue

Surf Life Saving NSW

- See Section 1 above for contact details
- For advice on aquatic rescue, first aid and resuscitation training

St John Ambulance Australia (NSW)

St John House

6 Hunt Street

SURRY HILLS NSW 2010

Phone: (02) 9212 1088

Fax: (02) 9281 6923

- For advice on first aid and resuscitation training

WorkCover NSW
GPO Box 5364
SYDNEY NSW 2001
Phone: (02) 9370 5300
Fax: (02) 9370 6107

- For advice on first aid training providers

Section 6 – Number of Trained Personnel

Royal Life Saving Society Australia (NSW)

- See Section 1 above for contact details
- For resuscitation signage and staffing

Section 7 – Equipment, Facilities and Signage

Ambulance Service of NSW
Ambulance Education Centre
Locked Bag 105
ROZELLE NSW 2039
Phone: (02) 9320 7777

- For advice on the content of a first aid kit

Australian Sports Commission

Participation Division
PO Box 176
BELCONNEN ACT 2616
Phone: (02) 6214 1915
Fax: (02) 6214 1224

- For advice on why a first aid kit is important and how to use it

Standards Australia

- See Section 4 above for contact details
- To obtain copies of AS2416 Design and Application of Water Safety Signs

Jardine Group

- See Section 1 above for contact details
- For copies of Signs as Remote Supervision

Royal Life Saving Society Australia (NSW)

- See Section 1 above for contact details
- For first aid kits and contents
- For advice on swimming pool safety equipment
- For advice on oxygen equipment

Section 8 – Other Safety Considerations

NSW Cancer Council

PO Box 572

KINGS CROSS NSW 1340

Phone: (02) 9334 1900

Fax: (02) 9326 9328

- For information on shade protection

10. References

1. Details on contracting out services can be obtained from the following publications: Department of Local Government, *Competitive Tendering Guidelines*, January 1997; and Department of Local Government, *Pricing and Costing for Council Businesses. A Guide to Competitive Neutrality*, July 1997.
2. Australian Standard for Risk Management is available from Standards Australia (see Section 9 Further Resources for contact details).
3. 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 9 Further Resources for contact details). Councils might also find the publication *Beaches of the New South Wales Coast. A guide to their nature, characteristics, surf and safety*, useful as it describes such characteristics and allocates a safety rating for each NSW beach. The publication is also available from Surf Life Saving NSW. Australian Professional Ocean Lifeguard Association also has produced relevant publications that are available to councils.
4. 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. The Australian Beach Safety and Management Program, which was established in 1990, is a joint Surf Life Saving Australia and University of Sydney initiative based at Surf Life Saving NSW. The publication *Beaches of the New South Wales Coast. A guide to their nature, characteristics, surf and safety*, was produced as part of this program. It describes various aspects and allocates a safety rating for each beach in NSW. To complement the publication, a computer disk to enable local councils determine the level of staffing and the equipment appropriate for beaches is also available from Surf Life Saving NSW (see Section 9 Further Resources for contact details).
5. The Certificate III in Public Safety (Aquatic Search and Rescue) was developed by the Public Safety Industry Training Advisory Board. This nationally recognised qualification will provide comprehensive, industry recognised training for aquatic rescue personnel involved in life saving. Details can be obtained from the National Training Information Service (see Section 9 Further Resources for contact details).

6. Australian Standard AS 2416 (2002)—*Design and Application of Water Safety Signs* is available from Standards Australia (see Section 9 Further Resources for contact details).
7. The manual, *Signs as Remote Supervision*, which has been developed by the Jardine Group for Statewide Mutual, is available on the internet at www.statewide.nsw.gov.au.
8. The publication *Safety in Swimming Pools—Guidelines for Safe Pool Operation* is available from The Royal Life Saving Society Australia (see Section 9 Further Resources for contact details).
9. Councils are encouraged to use the publication, *Safety in Swimming Pools—Guidelines for Safe Pool Operation* in relation to the design of equipment and facilities. Councils are also encouraged to contact the NSW Department of Tourism, Sport and Recreation and/or the Aquatic and Recreation Institute for further information and advice (see Section 9 Further Resources for contact details).
10. Councils are encouraged to use the NSW Cancer Council publication, *Under cover. Guidelines for shade planning and design*. 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 9 Further Resources for contact details).
11. The Department of Local Government’s Circular 03/13 provides councils with a Best Practice Guide to Sun Protection in Local Government.
12. For further information about emergency planning, it is suggested that councils contact the Aquatic and Recreation Institute or The Royal Life Saving Society 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 9 Further Resources for contact details).
13. The NSW Water Safety Taskforce has produced research reports and safety pamphlets in relation to rock fishing that may assist councils in this regard. These are available from www.safewaters.nsw.gov.au.

Appendices

Appendix 1. Regulatory activities

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

Under the *Local Government Act 1993*, 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)
- controlling animals (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 Services, 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 5 penalty units (i.e. \$550).

Councils may delegate the authority to erect water safety signs (compliant with AS2416-2002) to members of water safety organisations. Any person, including water safety personnel who are not employees of the council, may request that people obey any notices erected by the council. 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 a notice of the council. However, other water safety personnel may provide evidence in their capacity as witnesses to an alleged offence.

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
- a police officer
- 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

- 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 1993* 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
- 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 and still water facility categories, recommend 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. Eg. 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
Facility/Centre Manager/Operator Requirements	<p>The owner, manager, trustee or other person or persons in charge of the aquatic facility. On site during operational hours or delegation of responsibilities formally given to a senior staff member holding the appropriate qualifications. 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 Occupational Health and Safety Act risk management • safe chemical handling 	<p>1. The Aquatics cluster of competencies from the Community Recreation Training Package at Certificate IV AQF level. These competencies are appropriate for aquatic <i>management</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>2. The Aquatics cluster of competencies from the Community Recreation Training Package at Certificate III AQF level. These competencies are appropriate for aquatic <i>operations</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>Councils should ensure that management staff are encouraged to participate in some form of professional development.</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 an industry professional body.</p>
Supervisory Personnel	<p>Those responsible for overseeing the day to day operations of the facility eg. Shift or Duty Manager.</p>	<p>1. The Aquatics cluster of competencies from the Community Recreation Training Package at Certificate III AQF level. These competencies are appropriate for aquatic supervision 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>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved Senior First Aid (updated every 3 years) and RLSSA Oxygen Equipment;</p> <p>Or,</p> <p>The equivalent in competencies from the Community Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.</p>	<p>Councils should ensure that supervisory staff are encouraged to participate in some form of professional development.</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>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate IV AQF level.</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. Eg. 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
Pool Attendant / Lifeguard	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.	RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved Senior First Aid (updated every 3 years) and RLSSA Oxygen Equipment; <i>Or,</i> The equivalent in competencies from the Community Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.	Councils should ensure that lifeguard staff are encouraged to participate in some form of professional development. 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. Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate III AQF level.

Safety Equipment (including first aid and rescue)	Signage
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First Aid facilities:

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 Health Department and Australian Standards.

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.

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.

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.

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 (eg two way radios, whistles).

All facilities should have emergency procedure policies and plans and incident reporting procedures in line with Occupational Health and Safety legislation. For more information on safety equipment refer to section 7 of this Practice Note.

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:

- RLSSA Guidelines for Safe Pool Operations
- Standards Australia for appropriate Australian Standards
- "Information Signs as Remote Supervision" as developed by the Jardine 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 eg. one main swimming pool and a diving or toddler pool. Pool configuration is generally a standard rectangular shape.**

Role/Function	Definition	Qualification	Professional Development
Facility/Centre Manager/Operator Requirements	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 ensure that management staff are encouraged to participate in some form of professional development.</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 an industry professional body.</p>
Supervisory Personnel	Those responsible for overseeing the day to day operations of the facility eg. Shift or Duty Manager.	<p>1. The Aquatics cluster of competencies from the Community Recreation Training Package at Certificate III AQF level. These competencies are appropriate for aquatic supervision 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>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved Senior First Aid (updated every 3 years) and RLSSA Oxygen Equipment;</p> <p><i>Or,</i></p> <ul style="list-style-type: none"> The equivalent in competencies from the Community Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3. 	<p>Councils should ensure that supervisory staff are encouraged to participate in some form of professional development.</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>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate IV AQF level.</p>

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 eg. one main swimming pool and a diving or toddler pool. Pool configuration is generally a standard rectangular shape.

Role/Function	Definition	Qualification	Professional Development
Pool Attendant/ Lifeguard	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.	RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved Senior First Aid (updated every 3 years) and RLSSA Oxygen Equipment; <i>Or,</i> The equivalent in competencies from the Community Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.	Councils should ensure that lifeguard staff are encouraged to participate in some form of professional development. 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. Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate III AQF level.

Safety Equipment (including first aid and rescue)	Signage
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First Aid facilities

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 Health Department and Australian Standards.

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.

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.

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.

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 (eg two way radios, whistles).

All facilities should have emergency procedure policies and plans and incident reporting procedures in line with Occupational Health and Safety legislation. For more information on safety equipment refer to section 7 of this Practice Note.

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:

- RLSSA Guidelines for Safe Pool Operations
- Standards Australia for appropriate Australian Standards
- “Information Signs as Remote Supervision” as developed by the Jardine 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
Facility/Centre Manager/Director Requirements	<p>Appropriate council representative in charge of daily operations of the swimming pool eg. 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 ensure that management staff are encouraged to participate in some form of professional development.</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>
Supervisory Personnel	Not Applicable	Not Applicable	Not Applicable
Pool Attendant/Lifeguard	<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 for community organised events and / or high patronage days a qualified person be on duty.</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 Senior 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
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<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 7 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 Jardine Group for Statewide Mutual • A “No Lifeguard on Duty” sign should be displayed at times there is no qualified person on the premises.
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Category 2. Other: Any still water environment that has been specifically constructed, designed or intended to be used for swimming, diving, paddling or wading (eg. rock pools, dams, swimming enclosures).

Role/Function	Definition	Qualification	Professional Development
Facility/Centre Manager/Director Requirements	Appropriate council representative in charge of daily operations of the swimming pool. Eg. 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.
Supervisory Personnel	Not Applicable	Not Applicable	Not Applicable
Pool Attendant/Lifeguard	<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 eg. 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 eg 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 Senior 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 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 7 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 Jardine Group for Statewide Mutual • A "No Lifeguard on Duty" sign should be displayed at times there is no qualified person on the premises. 	

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

Role/Function	Definition	Qualification	Professional Development
Facility/Centre Manager/Director Requirements	Appropriate council representative in charge of daily operations of the natural swimming area eg 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	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. Council should take reasonable steps to encourage any patron using this facility to be accompanied by a responsible adult at all times.	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: 1. RLSSA Bronze Medallion award, or the equivalent industry qualifications from a registered training organisation, updated annually. <i>And</i> 2. NSW Workcover Authority approved Senior 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 A warning and resuscitation sign displayed in the immediate vicinity of the pool area as per the <i>Swimming Pools Act 1992</i>. For more information on Safety Equipment refer to section 7 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 Jardine Group for State wide Mutual • A “No Lifeguard on Duty” sign should be displayed at times there is no qualified person on the premises. 	

Appendix 3. Recommended competencies – still water

Aquatic management level:

- Manage injuries in emergency incidents
- Monitor pool water quality
- Operate aquatic facility plant and equipment
- Maintain pool water quality
- Respond to an aquatic emergency using advanced water rescue techniques
- Develop procedures for maintaining pool water quality to health standards
- Develop maintenance systems for an aquatic facility
- Coordinate lifeguard services at an aquatic facility or environment
- Work effectively with government and other key stakeholders
- Develop a budget for a recreation initiative
- Operate in accordance with accepted instructional practices and styles and legal and ethical responsibilities
- Apply the principles of movement in water to aquatic activities
- Provide advice in order to meet current and anticipated client requirements
- Plan and provide sport and recreational services
- Produce reports as required for cash flow forecasts and budgetary purposes
- Apply sport and recreation law
- Promote compliance with laws and legal principles
- Implement and monitor occupational health and safety policies and procedures
- Plan, allocate and evaluate work carried out by teams, individuals and self
- Conduct projects
- Improve client awareness and implement environmental management practices
- Lead, manage and develop work teams
- Co-ordinate marketing activities.

Aquatic operations level:

- Manage injuries in emergency incidents
- Monitor pool water quality
- Operate aquatic facility plant and equipment
- Maintain pool water quality
- Operate in accordance with accepted instructional practices and styles and legal and ethical responsibilities
- Coordinate interaction with clients

- Respond to emergency situations
- Maintain equipment for activities
- Maintain daily financial records for accounting purposes
- Monitor cash control for accounting records
- Apply sport and recreation law
- Educate the public on the safe use of a sport and recreational resource
- Undertake risk analysis of activities
- Work autonomously
- Deal with conflict
- Respond to an aquatic emergency using basic water rescue techniques
- Supervise clients at an aquatic facility or environment
- Respond to an aquatic emergency using advanced water rescue techniques
- Provide emergency care
- Administer oxygen in an emergency situation.

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 defined occupational health and safety policy and procedures related to the work being undertaken
- Respond to emergency situations
- Undertake risk analysis of activities
- Respond to an aquatic emergency using basic water rescue techniques
- Supervise clients at an aquatic facility or environment
- Respond to an aquatic emergency using advanced water rescue techniques
- Provide emergency care
- Administer oxygen in an emergency situation.

Competencies included within RLSSA pool lifeguard licence:

- Respond to an aquatic emergency using basic water rescue techniques
- Supervise clients at an aquatic facility or environment
- Respond to an aquatic emergency using advanced water rescue techniques
- Provide emergency care
- Administer oxygen in an emergency situation.

Competencies included within AUSTSWIM Award:

- Apply the principles of movement in water to aquatic activities
- Instruct water familiarisation, buoyancy and mobility skills
- Instruct water safety and survival skills

-
- Instruct the strokes of swimming
 - Collect and analyse information on the philosophy and structure of the Australian aquatic industry
 - Operate in accordance with accepted instructional practices and styles and legal and ethical responsibilities.

Teacher of Infant and Preschool Aquatics (additional):

- Foster the motor, cognitive and personal development of infants and toddlers in an aquatic environment.

Teacher of Aquatics to People with Disabilities (additional):

- Assist participant with a disability during aquatic 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 a 800m beach run, followed by a 600m rescue board paddle and concluding with a 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).

2. Demonstrated experience through skills including:

- Ability to perform effective first aid and resuscitation following a rescue from an aquatic environment (possess current senior first aid and advanced resuscitation certificates from a registered training provider)
- 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 completing the Certificate III in Public Safety (Aquatic Search and Rescue), candidates will complete the following units of competency:

1. OH&S

- Follow defined occupational health and safety policies and procedures

2. First Aid

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

3. Operational and Incident Management

- Conduct briefings and debriefings
- Treat risk at an operational level
- Conduct a risk assessment
- Maintain safety at an incident scene
- Manage information

4. Public Relations and Communications

- Provide services to clients
- Communicate in the workplace
- Foster a positive organisational image
- Liaise with other organisations
- Operate a communication system and equipment

5. Team Response

- Participate in work teams
- Apply surf survival and self survival skills
- Search as a member of an aquatic search team
- Participate in a 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
- 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

- 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
- 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
- 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 non-English speaking 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.
- 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.

