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OPERATION AND MAINTENANCE OF PUBLIC POOLS IN NSW



NEW LEGISLATION

The *Public Health Act 2010* (NSW) commenced on **1st September 2012**. It aims to improve public health by controlling public health risks and infectious diseases. References relating to swimming pools and spa pools took effect on the **1st March 2013**.

These changes in legislation mean that all public pools and spa pools must comply with the Prescribed Operative Requirements and Disinfection Standards set out in the *Public Health Regulation 2012* (NSW).

WHAT IS A PUBLIC POOL?

A "public pool" is a "swimming pool" or "spa pool" where the general public is admitted either for a fee or free of charge, and includes pools with:

- a) a pool to which the public is admitted as an entitlement of membership of a club, or
- b) a pool provided at a workplace for the use of employees, or
- c) a pool provided at a hotel, motel or guest house or at holiday units, or similar facility, for the use of guests, or
- d) a pool provided at a school or hospital, but not including a pool situated at private residential premises.

A "**swimming pool**" includes any structure that is used or intended to be used for human bathing, swimming or diving, and includes a water slide or other recreational aquatic structure.

A "**spa pool**" includes any structure (other than a swimming pool) that:

- a) holds more than 680 litres of water, and
- b) is used or intended to be used for human bathing, and
- c) has facilities for injecting jets of water or air into the water.

NOTE: *A swimming pool or spa pool is not a "public pool" when it is located on any private residential premises. Consequently, pools located in premises such as high rise residential, retirement villages, back yard learn to swim or any pool located on any private residential premises, even if it is commercial in nature, is not a "public" swimming pool or spa pool.*

THE NEW REQUIREMENTS

Under the Act and Regulation, an occupier of premises at which a public swimming pool and/or spa pool is located is required by 1 March, 2013 to:

- Notify the local council of their existence. Councils may charge a notification fee.
- Ensure pool is fitted with either:

- Ensure that the primary disinfectant is either chlorine or bromine
- Ensure pool complies with the specified levels of bromine and chlorine, pH and alkalinity
- Meets testing and record keeping requirements.
- Ensure compliance with all aspects of the Act and Regulation

Failure to comply with the new Regulations may attract a maximum penalty of \$3,300.

RISK FACTORS FOR PUBLIC POOLS

There are three different risk categories of pools which require the implementation of different water management plans to remain compliant.

The [Public Swimming Pool and Spa Advisory Document](#) highlights the following risk categories.

Category 1 - Highest risk:

High risk pools include spa pools, hydrotherapy pools, baby and infant learn to swim pools, infant wading pools, water features in pools, pools used by incontinent people, or a pool with three or more of the following risk factors:

- pH greater than 7.6 in a chlorinated pool
- Consistently poor disinfection (previous chemical or bacteriological criteria failures)
- High turbidity
- Poor pool circulation and/or filtration
- High bather loads
- Presence of algae
- Regular use by birds e.g. ducks etc
- Easy access of foreign material e.g. litter
- Biofilms detected

Category 2 - Medium risk

Swimming pools > 26°C (except Category 1 pools); wave, river and low depth (<1 m) leisure pools; higher risk pools.

Category 3 - Low risk

Swimming pools < 26°C (except Category 1 and 2 pools); diving pools; low and infrequent bathing load pools.

Further information can be found in [Public Swimming Pool and Spa Pool Advisory Document](#).

PUBLIC SWIMMING POOL AND SPA POOL ADVISORY DOCUMENT

The "Public Swimming Pool and Spa Pool Advisory Document" both complements and gives an overview of the public health legislation related to public pools and spas. The advisory document explains the diseases which can be transmitted in a pool environment and provides a bacteriological criterion to determine pool safety. The advisory document is intended for all pool operators, designers and consultants. It is also a useful reference for Environmental Health Officers.

To view the [Public Swimming Pool and Spa Pool Advisory Document](#) Click [here](#).

RESOURCES

Following is a selection of materials which will assist in understanding public swimming pool and spa pool issues. Click on the relevant resource below to view the hyperlink

Legislation

- [Public Health Act 2010 - Extract - Note: Section 35 does not commence until 1 March 2013](#)
- [Public Health Regulation 2012 - Extract - Note: Clauses 15, 19, 20 and Schedule 1 do not commence until 1 March 2013](#)
- [Schedule 1 - Public Health Regulation 2012- Extract](#)

Inspection Report

- [Swimming Pool and Spa Pool Inspection Report \(Dec 2012\)](#)
- [Log Sheet](#)

Guidelines

- [Public Swimming Pools and Spa Pools Advisory Document](#)
- [APVMA Guide for Demonstrating Efficacy of Pool and Spa Sanitisers - June 2007](#)

Clean Pools for Healthy Swimming Campaign

- [Brochure - Clean Pools for Healthy Swimming](#)
- [Poster - Steps to Healthy Swimming](#)
- [Fact Sheet - Healthy Swimming Pools](#)

Factsheets

- [Disinfection of Swimming Pools and Spa Pools](#)
- [Disinfectant Dosing Systems](#)
- [Record Keeping - Log Sheets](#)
- [Controlling Chloramines in Indoor Swimming Pools](#)
- [Continual Breakpoint Chlorination](#)
- [Cryptosporidium and Giardia in Swimming and Spa Pools](#)
- [Oxidation-Reduction Potential](#)
- [Swimming Pool Microbiology Testing Frequency](#)
- [Swimming Pool Chemical Testing Frequency](#)
- [Stabiliser \(Cyanurate\) Use in Outdoor Swimming Pools](#)
- [Reuse and Recycling of Swimming Pool Backwash Water](#)
- [Rainwater \(roof water\) harvesting for swimming pools](#)

Contamination Response Plans - for Operators

- [Cryptosporidium Notification Response Plan](#)
- [Faecal Incident Loose Stool Response Plan](#)
- [Faecal Incident Solid Stool Response Plan](#)
- [Vomit Incident Response Plan](#)
- [Hard Surface Incident Response Plan \(vomit, blood or faecal\)](#)

Notification Form

- [Notification Form to notify the local council of existence of public pool or spa pool](#)