

Practice Note 15

WATER SAFETY



PRACTICE NOTE NO. 15 - WATER SAFETY

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ACCESS TO SERVICES

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Section 1: Introduction



1.1 Purpose and Scope

The NSW Government is committed to promoting water safety in NSW. Practice Note 15: Water Safety (the 'Practice Note') has been published since 1994 to help councils minimise risks associated with aquatic locations under their care and control to keep people as safe as possible while they enjoy the water.

Water activities dominate recreational and sporting activities in Australia.

NSW has approximately 720 beaches and 370 public pools which are popular places for individuals and families to relax and enjoy the water and water sports, particularly over summer. Tragically, every year a number of people die or are seriously injured at beaches, in public pools and other water ways.

The Practice Note guides NSW councils to strengthen their water safety functions and responsibilities such as providing public swimming facilities, beach patrols, lifesaving services and regulatory activities in public places.

It covers hiring appropriately trained staff for water safety duty, installing warning signage, complying with regulations, having suitable equipment available for emergencies and working collaboratively with other water safety groups.

While the Practice Note does not provide a minimum set of standards that all councils must apply, it helps each council to develop, implement and document strategies and actions to maximise the safe public enjoyment of the pools, beaches and other aquatic locations they manage and minimise the risk of death or injury.

The Practice Note is not a stand-alone resource and should be supplemented by other water safety resources, many of which are referenced in this document.

1.2 About this Update

This latest update addresses minor terminology and naming issues as well as some legislative and policy changes regarding water safety. Major areas updated include:

- the national vocational education and training framework;
- swimming pool and still water facility category definitions;
- rock fishing safety legislation; and
- additional information about risk management and signage.

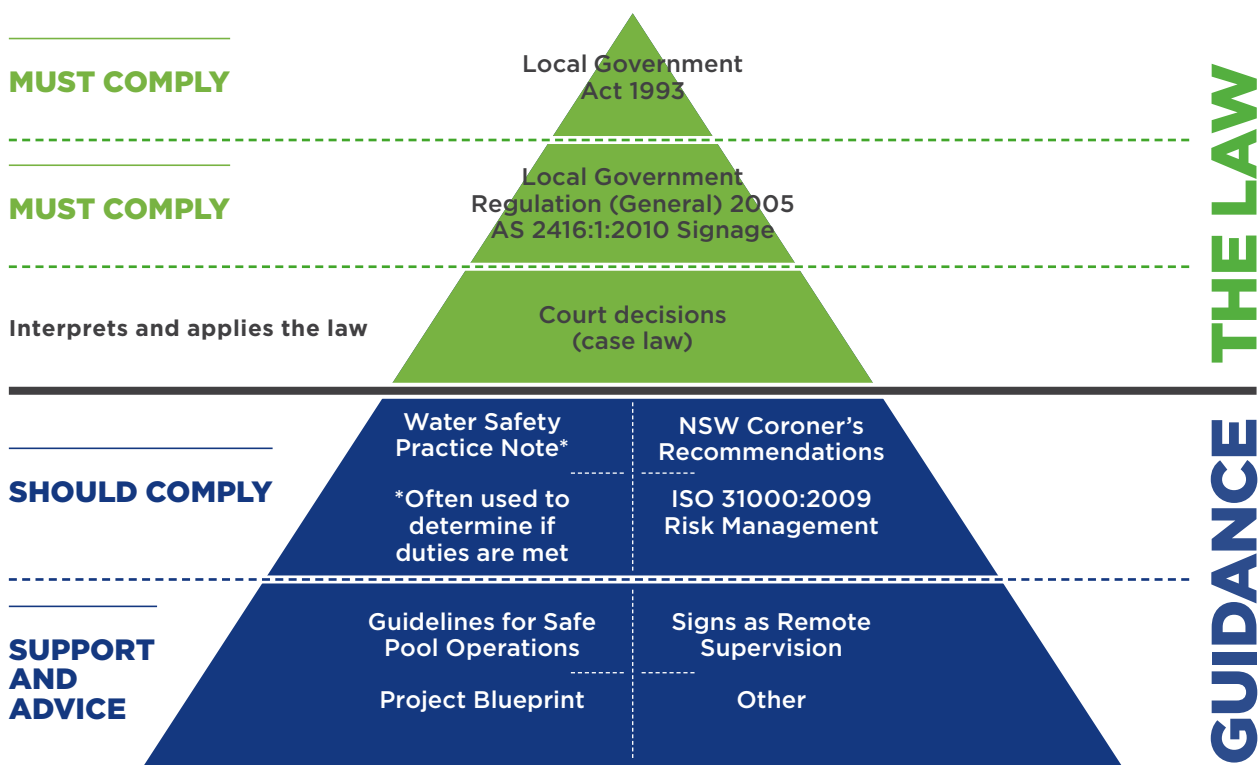
The updates have been informed by input from key stakeholders listed in **Section 10**.



Section 2:
Legislation, Policy and Guidance

2.1 Overview

FIGURE 1 | Sources of Council Obligations: NSW Water Safety Framework



2.2 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.

Councils have a responsibility to ensure all water safety functions are carried out safely and effectively to minimise risks of 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 Regulation 2016* provide for the responsible operation of watercraft. Roads and Maritime NSW (RMS) can provide exemptions from the legislation to members of Surf Life Saving NSW and people employed or contracted to councils to provide lifeguard services.

Other relevant laws that councils should consider in carrying out water safety functions include the *Civil Liability Act 2002* and the *Public Health Act 2010*.

Councils should also keep track of developments in case law that may have a bearing on how they approach water safety, particularly where the Practice Note has been cited. The Australasian Legal Information Institute (AustLII) maintains a comprehensive database of case law and legislation from across Australia and New Zealand: www.austlii.edu.au.

2.3 Policy

With no prescribed water safety minimum standards for local government in the *Local Government Act 1993*, the Practice Note is the key document under the NSW Government water safety policy framework to guide councils to carry out water safety functions using a risk management approach.

The NSW Government strongly encourages councils to base their policies, programs and activities on the NSW legislative and policy framework and the guidance in this Practice Note.

Government agencies and non-government organisations with an interest and expertise in water safety collaborate by sharing data, ideas and by implementing water safety campaigns and programs to reduce the number of drowning deaths in NSW. Further information and resources are available at: www.watersafety.nsw.gov.au.

Coastal councils must also undertake coastal planning and management duties in line with the requirements of the *Coastal Management Act 2016*. Coastal councils may adopt Coastal Management Programs relating to the protection, management and use of their coastal areas, in consultation with their communities. Guidance is available to assist councils with their coastal management duties, including a Coastal Management Manual and an associated Coastal Management Manual Toolkit. Planning for coastal use areas often identifies the need to provide safe swimming beaches. More information on the reforms is available at www.environment.nsw.gov.au/coasts/.

2.4 Guidance

Key guidance documents that many councils use to help them carry out their water safety functions include:

- *Guidelines for Safe Pool Operations* (Royal Life Saving Society of Australia)
- *Signs as Remote Supervision* (2014, Statewide Mutual)
- *Australian Standard AS/NZS 2416.1:2010 Water safety signs and beach flags – Specifications for water safety signs used in workplaces and public area* (2010, SAI Global)
- *Australian Standard AS/NZS ISO 31000:2009 Risk management – Principles and Guidelines* (2010, SAI Global)
- Coronial reports and recommendations.

These are discussed in more detail in relevant sections of the Practice Note.

This Practice Note should also be read in conjunction with the following Office of Local Government (OLG) guidelines:

- Integrated Planning and Reporting Manual for Local Government in NSW – Planning a Sustainable Future;
- Tendering Guidelines for NSW Government (October 2009);
- Pricing and Costing for Council Businesses. A Guide to Competitive Neutrality (July 1997).



Section 3: Water Safety Functions and Responsibilities

3.1 Local Councils

Councils have two broad water safety functions under the Local Government Act:

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

REGULATORY ACTIVITIES

Regulatory activities require specialist skills and training, partly because there is an element of risk involved to anyone carrying out law enforcement functions. Councils are therefore unable to delegate the power to perform regulatory activities under the Local Government Act except 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 to promote water safety under the Local Government Act include:

- **erecting notices** (Chapter 16 Offences). A council may erect notices or 'signs' controlling certain activities in public places including public pools and beaches. The terms of the sign may relate to any activity in the area or the use of the place (section 632(2)). Clear signs at access/entry points are a key tool to help councils manage potential conflict and risk. Signs give councils broad, discretionary powers to manage how people behave in a public place by setting clear expectations. Councils can take legal proceedings against offenders whose behaviour is contrary to the signs.
- **taking legal proceedings with regard to offences** (Chapter 16 Offences). This includes legal proceedings in relation to offences such as damaging, defacing or polluting a 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)

- 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
 - removing 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. Authorised council officers cannot remove a person from operational land.
 - confiscating 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 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 anyone 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.

Authorised council officers and volunteer surf life saving clubs / contracted life saving services are encouraged to support one another in the carrying out of their respective duties.



Further information about the powers of council to regulate activities under the 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. The *Security Industry Act 1997* requires persons carrying out defined security activities (e.g. ‘patrolling property’) to be licensed.

SERVICE ACTIVITIES

These activities involve providing a service under section 24 of the Act and can be delegated. Common relevant council service activities include:

- **Providing aquatic recreation facilities** – including public pools and rock pools. These may be managed directly by the council or delegated under a lease, licence or other arrangement involving the land and/or facility.
Councils still retain responsibility to make key decisions in relation to strategic planning, risk management and resourcing for facilities they manage under a lease, licence or other arrangement. Key decisions and reasons for those decisions should be clearly documented.
- **Providing life saving services** – 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, teams who have formed partnerships, and companies contracted to councils to manage or supervise the pool who employ staff
 - 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 need to determine how best to carry out the life saving function in their local area. Further information on contracting out services can be obtained from the OLG guidelines on competitive tendering and costing of business activities mentioned in Section 2.4.

Councils still retain their regulatory responsibilities when they delegate 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 place any signs approved by the council 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. 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.
- **Aquatic Event Safety** As part of their approval of aquatic events, councils should require event organiser applications to show that appropriate life saving services will be in place.¹
- **Water Safety Education** Many councils provide water safety education as a service to their communities. Information about strategies, resources and key water safety messages that councils can adapt to use locally is available under 3.7 ‘Water Safety Awareness Activities’. Water safety education typically focuses on:
 - pool and beach safety awareness
 - life saving skills
 - water familiarisation/swimming and water safety skills, and
 - rock fishing safety.

¹ For further information on event management, councils should refer to the Office of Local Government’s *Developing a Council Community Events Policy – A Toolkit for NSW Councils* available on the OLG website.

SERVICE AGREEMENTS

Where service activities are delegated, it is strongly recommended that councils have formal written service agreements in place with service providers to document agreed responsibilities. These service agreements should be regularly monitored and reviewed at least annually. For example, service agreements with surf life saving clubs generally cover the following areas:

- patrol times
- staffing levels
- emergency procedures
- standards of equipment
- incident and other reporting
- insurances and indemnities
- placing of signs
- training and qualifications required
- funding arrangements (where applicable)
- agreed performance standards, and
- services provided by councils, for example, parking permits and meetings.

Councils should ensure that any contractor managing an aquatic facility or providing a service on the council's behalf is aware of, and operates, in accordance with the approach and recommended standards in this Practice Note. This includes learn to swim pools, school pools and public leased pools.

Councils remain responsible for key assets they own and the services they provide when they outsource management of an aquatic facility. Councils therefore must ensure that their facilities are managed appropriately and meet at least minimum applicable standards.

Since January 2016, surf clubs and councils have had access to a standard lease agreement compiled by the NSW Government and Surf Life Saving NSW for using Crown Land.

This means that surf clubs have increased security of tenure with a standard 20-year lease term. Existing leases should be progressively migrated to this new system at the point of renewal or at another trigger point such as a request for expansion or redevelopment. For more information visit the Department of Industry, Lands and Forestry website at www.crownland.nsw.gov.au.

AGREEMENTS WITH USER GROUPS

It is also recommended that councils / delegated aquatic facility managers enter into formal agreements with user groups such as schools, swimming teachers, clubs and community organisations using their 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 responsibilities and the need for safe and appropriate behaviour.

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

Statewide Mutual provides a sample Swimming Pool User Agreement in their *Swimming Pool Operations Guidance Note* - February 2011. This identifies key requirements for councils and/or delegated aquatic facility managers to consider when managing their public liability risks.



Further information on service agreements can be obtained from relevant organisations listed in Section 9: Further Resources.

3.2 NSW Government

The NSW Government provides the legislative and policy framework for water safety in NSW and regulates some water-based activities.

The NSW Government's key water safety objective is to reduce the rate of drowning deaths in NSW and to contribute toward the aspirational goal under the Australian Water Safety Strategy of a national reduction in drowning deaths of 50% by 2020.

To this end, in 2017 the Government commenced hosting an annual Water Safety Forum to share the latest data, research and strategies to reduce drowning incidents

The Forum highlights the benefits that increased collaboration and cooperation can bring to drowning prevention initiatives. Further information is at <http://www.watersafety.nsw.gov.au>.

Key agencies and their responsibilities include:

- Office of Emergency Management, Department of Justice – coordination of water safety policy in NSW
- Office of Local Government – oversight of local government and private ('backyard') swimming pools legislation and policy
- Department of Education – learn to swim and water safety education
- 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 NSW, Department of Primary Industries – oversight of recreational fishing legislation and policy, including rock fishing.

3.3 Contractors and Lessees

These include:

- companies or individuals that manage and supervise council-owned swimming pools under contract or lease (as discussed above in 1.2, the *Industrial Relations Act 1996* deems swimming pool managers and supervisors engaged by a council under contract to be council employees);
- contractors providing life saving services, and
- Surf Life Saving NSW and its affiliated clubs.

Contractors and lessees must follow relevant legislation, guidelines and policies as well as their obligations under any contract or agreement signed with the council or other relevant body when carrying out their functions and responsibilities.

3.4 User Groups

These include:

- schools
- swimming and aquatic recreation organisations and instructors
- Surf Life Saving Clubs
- swimming clubs, and
- community organisations.

Groups that hire aquatic recreation facilities on a casual or regular basis must also follow relevant guidelines, policies and fulfil obligations in any contract or agreement entered into with the council or other relevant body.

For example, schools should be guided by Department of Education policies and guidelines relevant to the activity.

3.5 Members of the Public

All persons using a council's water recreation facilities have a responsibility to behave appropriately and to follow policies, signs and any conditions of entry that may apply at those facilities.

Parents and carers of young children have an additional responsibility to closely supervise children in their care.



3.6 Other Water Safety Groups

Water safety and rescue organisations and other community groups play a key role in promoting water safety. They provide water safety education and training and, where applicable, conduct water safety services, including lifesaving and rescue services.

3.7. Water Safety Awareness Activities

The NSW Government works with councils and non-government partners to raise public awareness of water safety issues and help reduce the number of drownings across the State.

Water safety awareness activities carried out at key times during the swimming season can help reduce drowning risks in backyard swimming pools, public pools, beaches and other waterways.

Councils are encouraged to promote and leverage existing water safety campaigns and programs within their local government areas.

Water safety resources (including fact sheets in community languages), key messages and campaigns that councils can use are on the NSW Government Water Safety website at: www.watersafety.nsw.gov.au. They are also available from key water safety partners including Royal Life Saving, Surf Life Saving and AUSTSWIM.

Local initiatives that councils have found useful to help raise water safety awareness include:

- Display water safety information in public buildings, on council websites and at retail outlets
- Issue media releases, local stories and advertisements to local papers
- Hold and promote fun days on pool and surf safety awareness, learn to swim, lifesaving skills and CPR training at public pools and beaches
- Erect and maintain appropriate water safety signs
- Provide pool owners with pool safety information during backyard pool inspections and/or via mail outs to pools on the NSW Government Swimming Pools Register.

Successful water safety campaigns usually have one or more of the following elements:

- Focus on a single message, or small range of general water safety messages
- Use imagery that communicates water safety, such as scenes of the beach/pools
- Provide practical information about how to be water safe
- Use real and local stories, where appropriate.

General key water safety messages are:

- Always supervise children around pools, beaches, other waterways and in baths
- Always swim between the flags
- Wear a life jacket
- Never swim alone
- If someone is in trouble, don't jump in, throw them a floatation device and seek help.

Backyard pool key water safety messages are:

- Constantly supervise young children around the pool
- Appoint a responsible 'designated supervisor' to keep watch and stay within arms-reach of young children at all times
- Check your pool barrier before the swimming season and regularly over summer to:
 - fix faulty gate latches, make sure the gate self-closes and never prop the gate open
 - secure loose fence panels and make sure there are no gaps under the fence
 - move climbable objects, such as chairs and buckets, away from pool fences and trim trees and shrubs near the fence.
- Enrol young children in water familiarisation classes
- Learn Cardio-Pulmonary Resuscitation (CPR).

Section 4: A Risk Management Approach to Water Safety



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

4.1 Risk Management Process

A council's risk management process needs to be systematic and comprehensive. The following diagram lays out each of the steps involved with a thorough risk management approach:



FIGURE 2 | Risk Management Process for Councils

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.

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 (2008)*.

Councils remain responsible for the effective implementation of any risk management program even if they have delegated the life saving or other non-regulatory water safety function to another organisation.

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 4.2 and 4.3 below.

4.2 Risk Management in Public Swimming Pools and Other Still Water Environments

Councils are strongly encouraged to categorise swimming pools, and other still water environments under their control, to determine and maintain the appropriate personnel, safety equipment and signage needed to counter risk to patrons.

Circumstances largely dictating councils' risk management procedures include:

- The number of people using the pool
- Profiles of the users e.g. their age and swimming ability
- Design of the pool or pools and the extent of visual surveillance available
- The activities available e.g. diving towers, diving boards and water slides as well as aqua-aerobics and learn-to-swim classes
- Reports of injuries and incidents
- Workplace health and safety issues for employees and contractors

As a guide, public swimming pools and other still water environments can be separated into five different risk management 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 structured activities (such as learn to swim and aqua classes) and unstructured activities (such as paddling and water play) able to occur at the same time. 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 typically medium patronage levels and enables both structured and unstructured activities ² to occur at the same time. Facility typically has infrastructure for unstructured activities, such as water slides or water play equipment.
3	Swimming Pool: (Local Community Swimming Pool). Facility with typically lower patronage levels and that typically consists of one small swimming pool, and possibly a wading/toddler pool. Both structured and unstructured activities can occur in these pools.
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). Unstructured activities typically occur in these facilities. Patronage levels vary.
1	Other: Natural still waterway that is an area known for unstructured, recreational swimming and associated activities (e.g. rivers, creeks, lakes, tidal pools). Patronage levels vary but are typically low.

² 'Structured activities' refers to activities that by their nature already have a higher level of supervision attached. For example, formal lessons have a qualified instructor that is additional to rostered pool lifeguards. 'Unstructured activities', however, present extra challenges to effective supervision. For example, infrastructure associated with unstructured activities, such as waterslides or water play equipment, may impact on surveillance and require increased supervision.

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

An increasing number of councils are responding to their local community needs by allowing 24 hour access to pool facilities while at the same time making decisions around resourcing lifeguarding services and ensuring their water safety obligations continue to be met. It is recommended that councils review their risk management strategies in light of changing patronage patterns and activity type. This might include consultation with their insurer or engagement of external expertise. It could also mean councils examining the viability of technological solutions to augment staff supervision, such as drowning detection systems.

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

It is important that councils keep detailed records of the process of determining why a facility was included in a particular category. The standards that apply should be consistently audited and maintained. Decisions about categories and standards should be regularly 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 is also a guide only**. It should be used and adapted as necessary by each council to suit local facilities and needs.

4.3 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
- typical activities, for example, high risk activities, such as rock fishing
- season, including holiday periods which may occur outside normal patrolled times
- wave, tidal and weather patterns
- location and access (for example, proximity to emergency services)
- 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 netting
- lifesaver/lifeguard capabilities including qualifications and experience
- ability of lifesaver/lifeguard to communicate with a centrally-operated radio base or communication centre
- provision of supervision and whether the beach area is patrolled
- work health and safety issues for employees and/or contractors, and
- type and condition of equipment available.

To assist in determining the 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. OLG 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 councils have developed their own audit tools.³

Some examples include:

- The Australian Beach Safety & Management Program (ABSAMP), 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. ABSAMP data is available online for authorised users – contact Surf Life Saving Australia for further information.
- Underpinned by ABSAMP research is an Aquatic Risk and Safety Audit developed by Surf Life Saving Australia that is available to public safety organisations and land managers in both coastal and inland aquatic environments.

- Surf Life Saving NSW has undertaken 'Project Blueprint', a coastal public safety risk assessment project covering every accessible beach and rock platform in NSW. Project Blueprint can provide long-term drowning prevention strategies through the application of localised risk mitigation and drowning prevention initiatives where and when they are required. The assessments were completed in November 2016 and the reports are now available on the NSW Water Safety website under '[Resources](#)'.
- Surf Life Saving Australia provides information on conditions and lifesaving services for all Australian beaches as well as advice on flags, signs, rip currents and marine creatures, through the Beachsafe website (www.beachsafe.org.au) and mobile app.
- The Australian Coastal Public Safety Guidelines are produced by Surf Life Saving Australia and available at www.coastsafe.org.au. It provides advice on topics such as beach signage, lifesaving services (including qualifications), aquatic event management and lifesaving equipment.
- The Australian Professional Ocean Lifeguard Association has developed the *Beach Water Risk Assessment Checklist for Seaside Councils and National Parks* (2003 Revision). This assessment tool provides councils with key information for each beach location to determine risk management requirements, including signage.

The Bureau of Meteorology has a Hazardous Surf Warning service to alert the public when conditions are dangerous for rock fishing, boating or swimming. The warnings will identify which coastal waters areas are affected and include safety advice that has been developed with maritime agencies. The alerts can be accessed via the Bureau's website at www.bom.gov.au/australia/warnings.

³ 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.



Section 5: Staff Qualification and Levels

LIFEGU



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 designated to operate the service are suitably qualified.

They should have the life saving skills and qualifications necessary to adequately address the risks associated with the public pool, beach or other swimming location under council's control.

The Australian Qualifications Framework (AQF) is the policy for regulated qualifications in the Australian education and training system that has been agreed by Commonwealth, State and Territory ministers. The NSW Government supports this policy and strongly encourages councils to take it into consideration when making employment decisions.

Further information about the AQF is available at <https://www.aqf.edu.au>. Appendix 3 also provides an overview of the AQF for swimming pools and beaches.

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

Councils should provide additional training specific to the requirements of the role and the facilities and services it provides, such as a relevant induction program.

Councils should – and many do – adopt higher standards if these are considered necessary or appropriate due to the characteristics of the pools and beaches they manage. This may include requiring personnel to undertake ongoing practical industry placement and more frequent assessment, registration and re-assessment.

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. Councils should ensure that a database of qualifications and certificates are kept for referencing against recommended minimum standards.

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 9: Further Resources*.

Separate standards are set out below for public swimming pools and other still water environments to those for beaches as staff in these different aquatic locations require some different qualifications.

- Councils should take reasonable steps to ensure that any person using an aquatic council facility is supervised by a qualified person (e.g. pool lifeguard) or accompanied by a responsible adult at all times.
- Due to the unpredictable nature and inherent risks of aquatic environments it is 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.

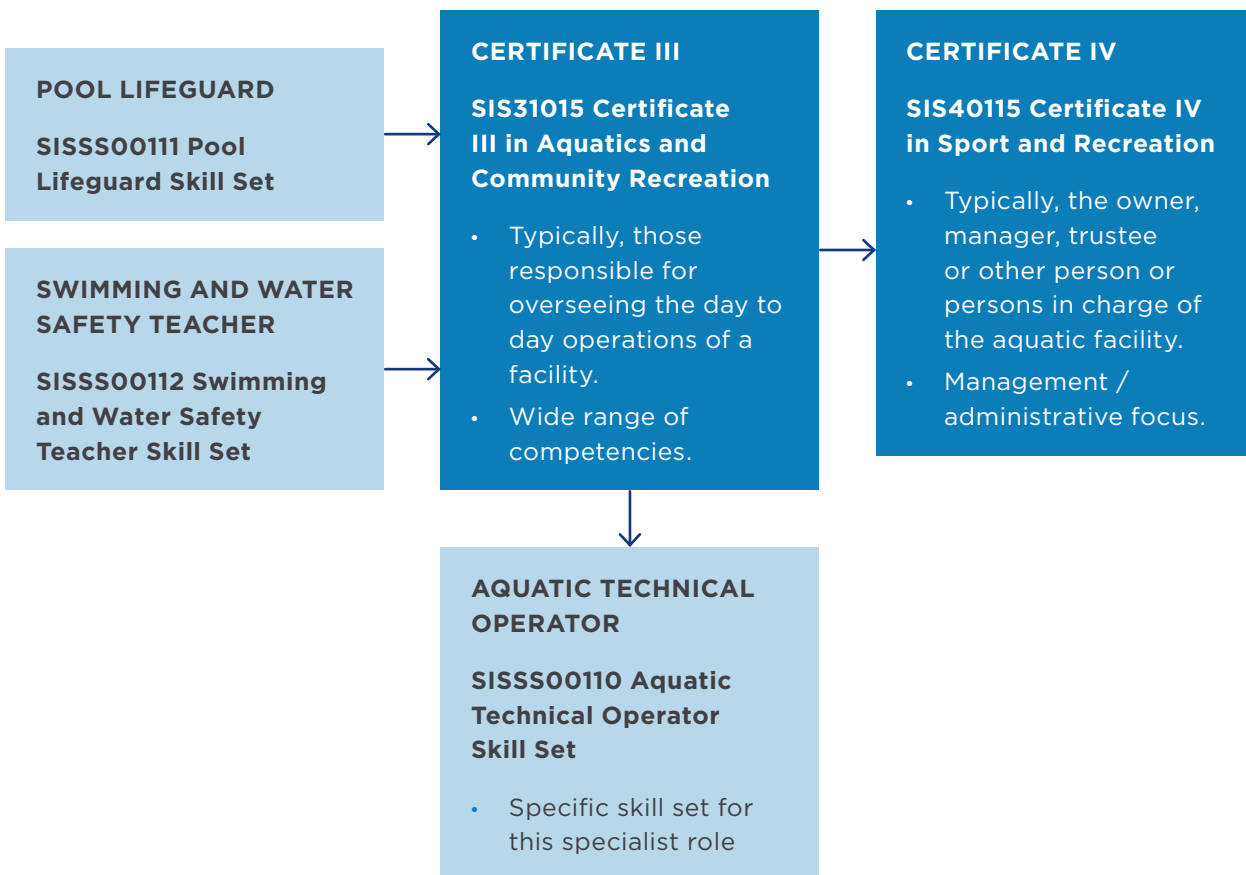
5.1 Career Pathway in the Aquatic Industry

Qualifications are groups of Units of Competency that meet job roles and are meaningful in the workplace, representing key industry functions. Skillsets are comprised of related Units of Competency that contribute to a qualification with a particular focus on a defined industry need.

The categories described in Appendix 2 map out the various roles in the day-to-day running of public pool facilities with corresponding recommended qualification levels. The Sport, Fitness and Recreation national training package aims to foster national uniformity and a clear career pathway that builds on experience gained. However, career paths are not always linear, meaning the training package is flexible to meet a range of job outcomes and allow for various entry options to meet the workforce development needs of the industry and councils.

Councils should base their employment strategies on their IP&R Workforce Management Plans and look at qualifications, skills and experience to determine a candidate’s suitability. Councils should ensure they conduct appropriate induction programs for new staff, preferably including a site induction component, as well as providing ongoing professional development and supervision.

The following diagram is adapted from the SIS Sport, Fitness and Recreation Training Package Companion Volume Implementation Guide – December 2015:



5.2 Qualifications for Public Swimming Pools and Other Still Water Environments

The recommended minimum standards for public swimming pools and other still water environments are based on AQF nationally accredited units of competency within the SIS Sport, Fitness and Recreation Training Package, including competencies for the qualifications:

- SIS31015 Certificate III in Aquatics and Community Recreation, and
- SIS40115 Certificate IV in Sport and Recreation.

Skill sets are single units of competency or combinations of units of competency from an endorsed training package that link to a licensing or regulatory requirement or a defined industry need. Skill sets within the SIS Sport, Fitness and Recreation Training Package are as follows:

- SSISS00110 Aquatic Technical Operator
- SSISS00111 Pool Lifeguard
- SSISS00112 Swimming and Water Safety Teacher
- SSISS00113 Group Exercise Leader

MANAGERS/OPERATORS, SUPERVISORY PERSONNEL AND POOL ATTENDANTS/LIFEGUARDS:

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

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 swimming and water safety are appropriately trained. A council should consider the following recommended **minimum** standards for swimming and water safety staff:

GENERAL:

- The skill set for swimming and water safety teachers listed in the SIS Sport, Fitness and Recreation Training Package SSISS00112 Swimming and Water Safety Teacher at <http://training.gov.au/Training/Details/SSISS00112>
- To ensure currency of skills, it is also recommended that councils ensure that swimming and water safety teachers maintain registration with industry-led, ISO17024 standard accreditation schemes. This level of accreditation includes criteria that ensure ongoing professional development, agreement to abide by an industry code of conduct and additional documentation of CPR and working with children checks.

SPECIALIST AREAS:

- For swimming and water safety teachers wishing to teach infants, additional relevant competencies listed in the *SIS Sport, Fitness and Recreation Training Package*
- For swimming and water safety teachers wishing to teach people with disabilities, additional relevant competencies listed in the *SIS Sport, Fitness and Recreation Training Package*

- For competitive Swimming Coaching, an Australian Swimming Coaching Qualification, or the equivalent industry qualification.

5.3 Qualifications for Beaches

The minimum standards for beach environments are based on AQF nationally accredited vocational competencies for the public safety industry found in the PUA12 Public Safety Training Package. This includes competencies for PUA21012 Certificate II in Public Safety (Aquatic Rescue) and PUA31312 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
- 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, the PUA21012 Certificate II in Public Safety (Aquatic Rescue) and are proficient.

Noting that councils have the ability to assess and decide on training levels based on local circumstances, councils 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 lifeguard in charge at each beach location should hold the PUA31312 Certificate III in Public Safety (Aquatic Search and Rescue) from or on behalf of a registered training organisation by qualified training personnel. Additional lifeguards should either hold the PUA21012 Certificate II in Public Safety (Aquatic Rescue) or a combination of relevant experience and competencies within the PUA12 Public Safety Training Package leading towards a Certificate III in Public Safety (Aquatic Search and Rescue).

WHERE THE LIFE SAVING FUNCTION IS CARRIED OUT BY A VOLUNTEER SURF LIFE SAVING CLUB:

- A current Surf Life Saving Australia Bronze Medallion and PUA21012 Certificate II in Public Safety (Aquatic Rescue).
- 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 Safework 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 Safework 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.

Further information on AQF national qualification frameworks for public pools and beaches can be found at Appendix 3.

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.

5.4 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 waterway under the council's control.

These include those factors that need to be considered in the development of a risk management strategy and supervision plan (see *Section 4: A Risk Management Approach to Water Safety*). Other considerations include equipment used, work health and safety, and child protection.

Councils should carefully consider the benefits of having more than one person on duty, particularly at beaches, for times when an emergency situation occurs (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 Society Australia's *Guidelines for Safe Pool Operations* has information about 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 been recommended by the NSW Coroner. Relevant Department of Education guidelines require an even lower overall ratio of school teacher/supervisors to students of no more than 1:20 for school activities. The Department has specific supervision ratios for various activities that take place in swimming pools, beaches and waterways and these take into account the age, maturity and experience of students.

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.;
- procedures in place to deal with emergencies, including a quick and direct means of communication to emergency services;
- agreements with individual users; and
- restricted access for authorised users.

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
- 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.



Section 6: 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 assessment and will depend on the circumstances of each swimming pool, beach and waterway under the council's control.

6.1 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
- Automatic External Defibrillators (AED's for use on both adults and children
- 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
- 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 or radio network.

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 9: Further Resources* can provide councils with further information and guidance about water safety equipment and facilities.

6.2 Signage

Signage is an essential tool for councils to perform their water safety functions. This is particularly so for more remote or less frequented aquatic environments under a council's care and control.

Under clause 411 of the *Local Government (General) Regulation 2005* councils are required to ensure that all signage and flags 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.

AS/NZS 2416:1 2010 makes reference to a triangle-shaped warning symbol, but also recognises the long-term use in Australia of diamond-shaped warning signs, and provides for their use under Appendix ZZ.

It is critically important that councils use warning signs that are consistent across their local government area and relevant to local needs and conditions. If necessary, councils should include in their asset management planning a pathway to bring all signage into line with AS/NZS 2416:1 2010, for example, as signs need replacing.

The eighth version of the best practice manual, *Signs as Remote Supervision* (2014)⁴ has been prepared by Statewide Mutual and is used widely by NSW councils. It 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. Member councils are encouraged to use the manual.

⁴ The latest version of the best practice manual, *Signs as Remote Supervision* (2014), was developed by Statewide Mutual and is available to member councils at www.statewide.nsw.gov.au.

Appendix 4 provides further information for councils to consider when determining appropriate signage for aquatic facilities and locations under their care and control.

PUBLIC SWIMMING POOLS AND OTHER STILL WATERWAYS

Councils are encouraged to use Royal Life Saving Society Australia's *Guidelines for Safe Pool Operations* which has information about water safety signs at public swimming pools. Appendix 2 provides more detailed guidance on the recommended minimum standards of signage for each aquatic facility category.

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

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 high swimming risks at beaches under their care and control. 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.

Access points to beaches should have the appropriate signage in place, especially at unpatrolled locations, and checked regularly as part of an overarching risk management strategy.

This is especially prudent in the era of social media where “secret swimming spots” are shared and tourism to ‘pristine’ or ‘untouched’ coastline is actively promoted.

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.

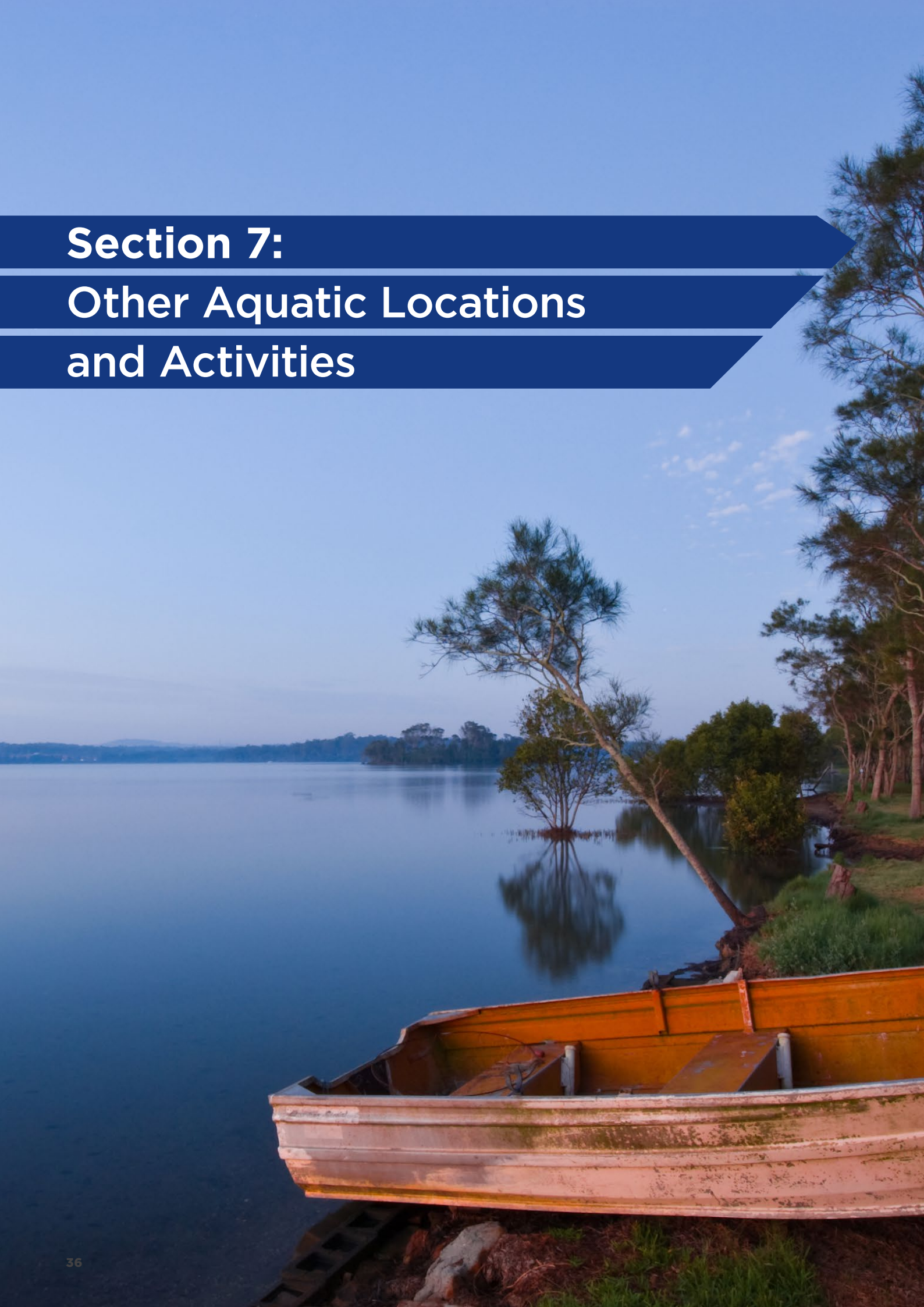
It is recommended that any statements on the relative safety of swimming between the flags should not use words such as ‘safe’, ‘safer’ or ‘safest’, or any similar form of words either on signs or in educational materials, including brochures and websites. Signs or educational material advising swimmers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

BOAT RAMPS AND PUBLIC WHARFS

To minimise risk, councils should implement strategies that help ensure that all boaters and recreational watercraft users are adequately and reasonably warned about hazards related to boating activities. Warnings should be clear, comprehensible and close to where people embark and disembark for boating/watercraft activities such as public boat ramps and wharfs/jetties.

Access points such as public boat ramps and wharfs/jetties should have the appropriate signage in place, and checked regularly as part of an overarching risk management strategy.

Section 7: Other Aquatic Locations and Activities



7.1 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 to ensure private swimming pools are surrounded by a child-resistant barrier that complies with Australian Standard AS1926.1 as amended from time to time.

Councils also have a responsibility under the *Swimming Pools Act* to develop a pool inspection program in consultation with their local community, inspect every three years for certain categories of high risk pools, issue certificates of compliance and non-compliance, investigate breaches of the Act, report annually on their compliance activities and help the public get their pools enrolled on the NSW Swimming Pool Register.

Royal Life Saving Society Australia has information about private swimming pools on the Home Pool Safety section of its website at www.royallifesaving.com.au/programs/home-pool-safety.

Further information about the role of councils under private swimming pool legislation is available in the ‘Directory of Policy Advice for Councils’ on the Office of Local Government’s website. The website also has information and resources targeted at the general public under the topic ‘Swimming Pools and Spas’. A Home Swimming Pool Safety Checklist is available on the NSW Swimming Pool Register website at www.swimmingpoolregister.nsw.gov.au

7.2 Dams and Weirs

Strategies councils can employ include education, signage, fencing and promoting the use of ‘safe play areas’ incorporating securely-fenced areas adjacent to houses to separate children from dams and other water hazards on a rural property

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.

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* (February 2008) and from Royal Life Saving Australia’s factsheet on farm water safety available at: www.royallifesaving.com.au.

7.3. Boating and Watercraft

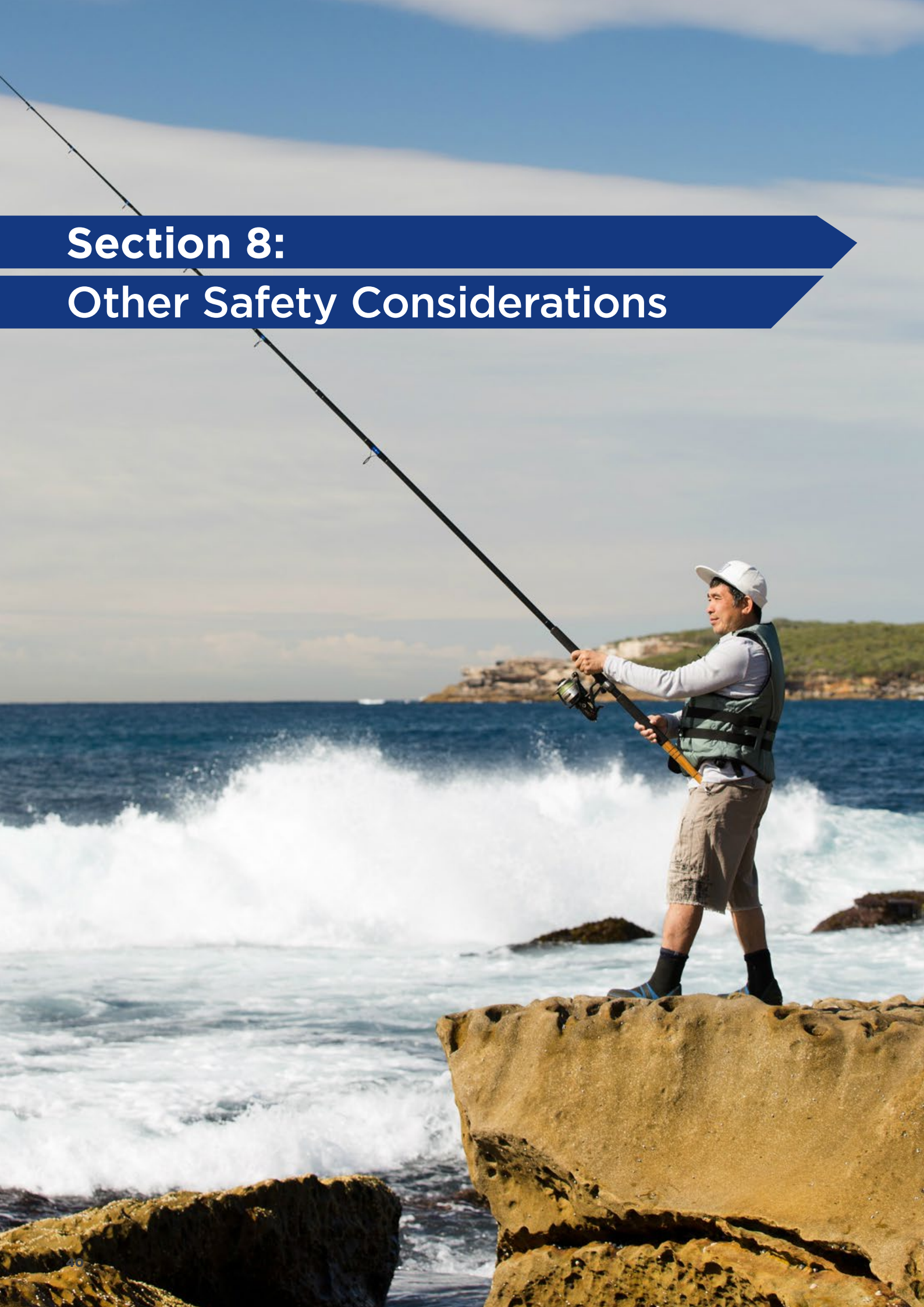
Boating and watercraft related injuries and deaths occur every year in NSW.

Councils play an important role in promoting awareness in their communities about the risks of boating/watercraft activities and strategies to address these risks. These strategies may include education, signage, promoting the use of lifejackets, lawful behaviour and proactively registering their journey/outing with a local Marine Rescue NSW unit via marine radio, phone or the free MarineRescue App.

Further information about boating safety and Logging On with Marine Rescue NSW can be found at: www.mrnsw.com.au



Section 8: Other Safety Considerations



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, rock platforms 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.

8.1 Rock Fishing

Rock fishing is one of the most dangerous sports in Australia. The majority of rock fishing-related deaths in Australia occur in NSW, where an average of eight people lose their lives every year.

Councils may need to consider strategies to address safety issues associated with rock fishing. For example, councils may wish to consider installing signage identifying specific areas where rock-fishing related fatalities have occurred.

The *Rock Fishing Safety Act 2016* requires people who are rock fishing in declared high-risk locations to wear lifejackets. The Act permits officers from the NSW Police Force, the Department of Primary Industries – Fisheries, the National Parks and Wildlife Service and Local Councils to enforce the Act's lifejacket requirements.

Under the Act, an appropriate lifejacket:

- Must be worn by the rock fisher whenever they are rock fishing at a high-risk location (having the lifejacket in their possession is not sufficient)
- For an adult, must meet Australian Standard AS 4758 level 50S or greater;
- For a child (under 12 years of age), must be level 100 Australian Standard AS 4758 or greater
- Must be the correct size for the wearer and in good condition

If the lifejacket is inflatable it must not rely solely on oral inflation (blowing the lifejacket up by mouth) for buoyancy and must be

serviced every 12 months (although a longer service period might apply if specified by the manufacturer).

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.

Further information about rock fishing safety can be found at: www.watersafety.nsw.gov.au or contact Fisheries NSW, Department of Primary Industries. For further information about angel rings, contact the Australian National Sportfishing Association.

8.2 Equipment and Facility Design, Materials and Maintenance

Councils should design equipment and facilities using appropriate surface materials to promote safety and have a system in place for their regular maintenance, including signs⁵.

8.3 Shade Protection

Councils should consider providing shade protection⁶ to protect the public and employees and contractors in accordance with councils' duty of care under the NSW *Work Health and Safety Act 2011* requirements.

⁵ Councils are encouraged to use Royal Life Saving Society Australia's *Guidelines for Safe Pool Operations* in relation to the design of equipment and facilities.

⁶ Councils are encouraged to use the NSW Cancer Council publication, *Guidelines to Shade – A Practical Guide for Shade Development in NSW* (2013).

8.4 Emergency Procedures

Councils should have clear and practiced emergency procedures – including emergency signals and evacuation plans.

8.5 Supervision of Young Children

Councils should consider whether strategies are needed to ensure adequate supervision of young children at public swimming pools⁷. Preventing entry to children not accompanied by an adult constitutes discrimination in access to facilities based on age under the NSW *Anti-Discrimination Act 1977*. While the Act provides for exemptions, a strong case of special need would have to be established.

Strategies councils should consider include:

- having an entry fee structure that encourages family groups and that takes into account the cost to the council of more diligent supervision of young children;
- providing staff with the training and skills to educate the community and deal with these situations, and
- taking strong action in respect of any person who fails to comply with standards for safe behaviour at the pool.

8.6 Water Quality

The *Public Health Regulation 2012* 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.

Also useful is the National Health and Medical Research Council's *Guidelines for Managing Risks in Recreational Water (2008)*, which discusses the management of health risks posed by the recreational use of coastal, estuarine and fresh waters. Threats may include natural hazards such as surf, rip currents and aquatic organisms, and those with an artificial aspect, such as discharges of wastewater.

Further information can be found on the NSW Ministry of Health website at <http://www.health.nsw.gov.au/environment/water/Pages/water-recreational.aspx> or by contacting a Public Health Unit.

⁷ Royal Life Saving Society Australia runs a Keep Watch @ Public Pools public education program targeting parental supervision.

8.7 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 followed findings into a drowning at a public pool in 2006.

The coroner recommended the swimming ability of primary school students participating in school fun days be assessed and they be given colour-coded wrist bands identifying them as swimmers or non-swimmers.

The same report further recommended to Royal Life Saving Society 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.

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

8.8 Shark Mitigation

In 2015 the NSW Government announced the NSW Shark Management Strategy, a \$16 million, scientifically driven, integrated 5-year program of projects and trials of emerging, non-lethal technologies to identify the most effective shark mitigation measures for NSW beaches.

The key objective is to increase protection for bathers from shark interactions while minimising harm to sharks or other animals. Councils may view more information on the Shark Management Strategy, including drones and SMART Drumlines, at <http://www.dpi.nsw.gov.au/fishing/sharks>.

A public education program, SharkSmart, informs NSW residents and visitors about ways to minimise the risk of being in waters where sharks may be present. A SharkSmart mobile app is available, which includes information about tagged sharks in real-time and provides alerts when one is spotted. Councils can also follow @NSWSHarkSmart on Twitter.

When a shark incident occurs, it is important that councils work collaboratively with NSW Police, the Department of Primary Industries (DPI), council lifeguard services and surf lifesaving clubs, who are often the first to respond given their location. Councils should take action in line with a locally-developed risk management strategy that is responsive to local conditions, community concerns and technical advice, including DPI's Shark Incident Response Plan. This ensures that a consistent process is followed and the role of each key stakeholder is clearly defined.

In relation to swimming enclosure barriers and shark netting, DPI 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; and
- forming links with local community groups (for example, dive groups) to report maintenance issues.

A photograph of a man and a young boy in a swimming pool. The man is on the left, smiling, and the boy is on the right, also smiling and looking towards the camera. The water is visible in the foreground, and the background is slightly blurred.

Section 9: 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.

Fisheries NSW, Department of Primary Industries

PO Box 4291
COFFS HARBOUR JETTY NSW 2450
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.

Marine Rescue NSW

PO Box 579
CRONULLA NSW 2230
Phone: (02) 80714848
Email: info@mrnsw.com.au
Web: www.marinerescuensw.com.au

- Official volunteer marine search and rescue agency operating from strategic locations along the NSW coastline, in the Alpine Lakes and at Moama on the Murray River.
- Owns, operates and maintains the marine radio network used by the NSW boating community.

- Operates the free Log On service – boaters setting out provide their contact details, destination and expected return time.
- Promotes boating safety.

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 of Health

Locked Mail Bag 961
NORTH SYDNEY NSW 2059
Phone: (02) 9391 9000
Fax: (02) 9391 9101
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 Advisory Document* (April 2013).

Office of Emergency Management, Department of Justice

GPO Box 5434
SYDNEY NSW 2001
Phone: (02) 9212 9200
Email: WaterSafety@mpes.nsw.gov.au
Web: www.watersafety.nsw.gov.au

- Lead agency for water safety in NSW.

Office of Local Government

Locked Bag 3015
NOWRA NSW 2541
Phone: (02) 44284100
Fax: (02) 4428 4199
Email: olg@olg.nsw.gov.au
Web: www.olg.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 *Integrated Planning and Reporting Manual for Local government in NSW – Planning a Sustainable Future*.

Office of the NSW State Coroner

Coroner's Court
PO Box 309
CAMPERDOWN NSW 1450
Phone: (02) 8584 7777
Fax: (02) 9660 7594
Email: local_court_glebe@agd.nsw.gov.au
Web: www.coroners.justice.nsw.gov.au

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

School Sports Unit, Department of Education

Locked Bag 1530
BANKSTOWN NSW 2200
Phone: (02) 9707 6900
Fax: (02) 9707 6999
Email: schoolsportunit@det.nsw.edu.au
Web: <https://app.education.nsw.gov.au/sport>

- For advice on water safety for schools and school groups;
- For *Sport Safety Guidelines* (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: eo@aquaticinstitute.com.au
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

PO Box 307
BELROSE NSW 2085
Phone: (02) 9471 8000
Fax: (02) 9471 8001
Web: www.lifeguards.com.au/nsw

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

Australian National Sportfishing Association NSW

Angel Ring Co-ordinator
PO Box 481
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: 0408 855 267
Email: info@apola.asn.au
Web: apola.com.au

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

Australian Swim Coaches and Teachers Association (ASCTA)

PO Box 158
BEERWAH QLD 4519
Phone: (07) 5494 6255
Fax: (07) 5494 6785
Email: admin@ascta.com
Website: <http://ascta.com/>

- National body for swim coaches and teachers;
- Education and accreditation.

Australian Water Safety Council

PO Box 558
BROADWAY NSW 2007
Phone: (02) 8217 3111
Fax: (02) 8217 3199
Website: 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).

Austswim NSW

34/10 Gladstone Road
CASTLE HILL NSW 2154
Phone: 1300 885 666
Email: info@austswim.com.au
Website: <http://austswim.com.au>

- Education and accreditation for swimming and water safety teachers.
- Industry guidelines containing information and best practice standards for the teaching of swimming and water safety and the conduct of aqua classes, including recommended teacher-student ratios.

Cancer Council NSW

PO Box 572
KINGS CROSS NSW 1340
Phone: (02) 9334 1900
Fax: (02) 8302 3570
Web: www.cancercouncil.com.au

- For information on shade protection, including *Guidelines to Shade - A Practical Guide for Shade Development in NSW* (2013).

Geocoastal Research Group, School of Geosciences, University of Sydney

SYDNEY NSW 2006
Phone: 02 9351 4796
Fax: 02 9351 2442
Web: <http://sydney.edu.au/science/geosciences>

- Research group 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* (2007).

Local Government NSW

GPO Box 7003
SYDNEY NSW 2001
Phone: (02) 9242 4000
Fax: (02) 9242 4111
Email: lgnsw@lgnsw.org.au
Web: www.lgnsw.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: royalnsw.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) 9320 2726
 Fax: (02) 9299 2029
 Email: mail@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 *the Signs as Remote Supervision* Best Practice Manual.

Surf Life Saving NSW

PO Box 307
 BELROSE NSW 2085
 Phone: (02) 9471 8000
 Fax: (02) 9471 8001
 Web: www.surflifesaving.com.au

- Organisation providing beach and aquatic environment lifesaving services in NSW;
- For advice on risk management and coastal risk assessments of beaches;
- Provides information on NSW's 129 patrolled beaches;
- For the *Australian Coastal Public Safety Guidelines* (December 2010);
- Operates the statewide Emergency Response System and communications network.

Surfing NSW

PO Box 4005
 MAROUBRA SOUTH NSW 2035
 Phone: (02) 9349 7055
 Web: www.surfingnsw.com.au

- Peak body for surfing in NSW.
- For information on the Surfers Rescue 24/7 program.

Section 10: Acknowledgements



OLG acknowledges and is grateful for the input to this review of the Practice Note by the following organisations:

- Aquatic and Recreation Institute
- Australian Lifeguard Service
- Australian Professional Ocean Lifeguard Association
- AUSTSWIM
- Country Pool Managers
- Department of Education
- Fisheries NSW, Department of Primary Industries
- Local Government NSW
- Marine Rescue NSW
- Office of Emergency Management, Department of Justice
- Royal Life Saving NSW
- Statewide Mutual
- Surf Life Saving NSW
- Surfing NSW

In addition, 62 local councils and 19 private operators of public pools (listed below) participated in an OLG survey conducted in May 2017 regarding the Practice Note. Their input has been incorporated into this update.

Councils

Albury City Council

Canada Bay Council (City of)

Coffs Harbour City Council

Camden Council

Blacktown City Council x3

Ballina Shire Council x2

Berrigan Shire Council x2

Canterbury Bankstown Council

Cessnock City Council

Central Coast Council

Bathurst Regional Council

Cumberland Council

Cowra Shire Council x2

Bourke Shire Council

Cabonne Council

Campbelltown City Council

Broken Hill City Council

Burwood Council

Bega Valley Shire Council

Dubbo Regional Council

Eurobodalla Shire Council

Gilgandra Shire Council

Glen Innes Severn Council

Griffith City Council

Gunnedah Shire Council

Hawkesbury City Council

Councils

Hay Shire Council

Hilltops Council

Junee Shire Council

Kempsey Shire Council

Kiama Municipal Council

Lachlan Shire Council

Lake Macquarie City Council x2

Leeton Shire Council

Lithgow City Council x2

Mid-Western Regional Council

Murray River Council

Muswellbrook Shire Council

Nambucca Shire Council

Narrabri Shire Council

Narrandera Shire Council

Newcastle City Council

Northern Beaches Council

Orange City Council

Parkes Shire Council

Parramatta City Council

Queanbeyan-Palerang Regional Council

Randwick City Council

Ryde City Council x2

Shellharbour City Council x3

Shoalhaven City Council

Snowy Monaro Regional Council

Councils

Snowy Valleys Council

Sutherland Shire Council x3

Tamworth Regional Council

Tweed Shire Council

Wagga Wagga City Council

Warren Shire Council x2

Warrumbungle Shire Council x2

Waverley Council

Wollongong City Council x3

Woollahra Municipal Council

Private Operators

Aquatic Leisure Management

Aquatics Down Under

Barrenjoey Swim School

C&M Aquatic Centre

Community Aquatics

Danebank Aquatic Centre

Different Strokes Swimming

First Splashes Swim School

Forum Sports and Aquatic Centre

Glen Innes Swim Centre - Keith Watts

Gould Swim Academy

John Bonning Billabong Swim School

Jump! Swim Schools Campbelltown

Lifeguarding Services Australia

MLC School Aquatic Centre

Pymble Ladies College

Swimplex Facilities

Tenterfield Memorial Baths - Jeffrey Moss

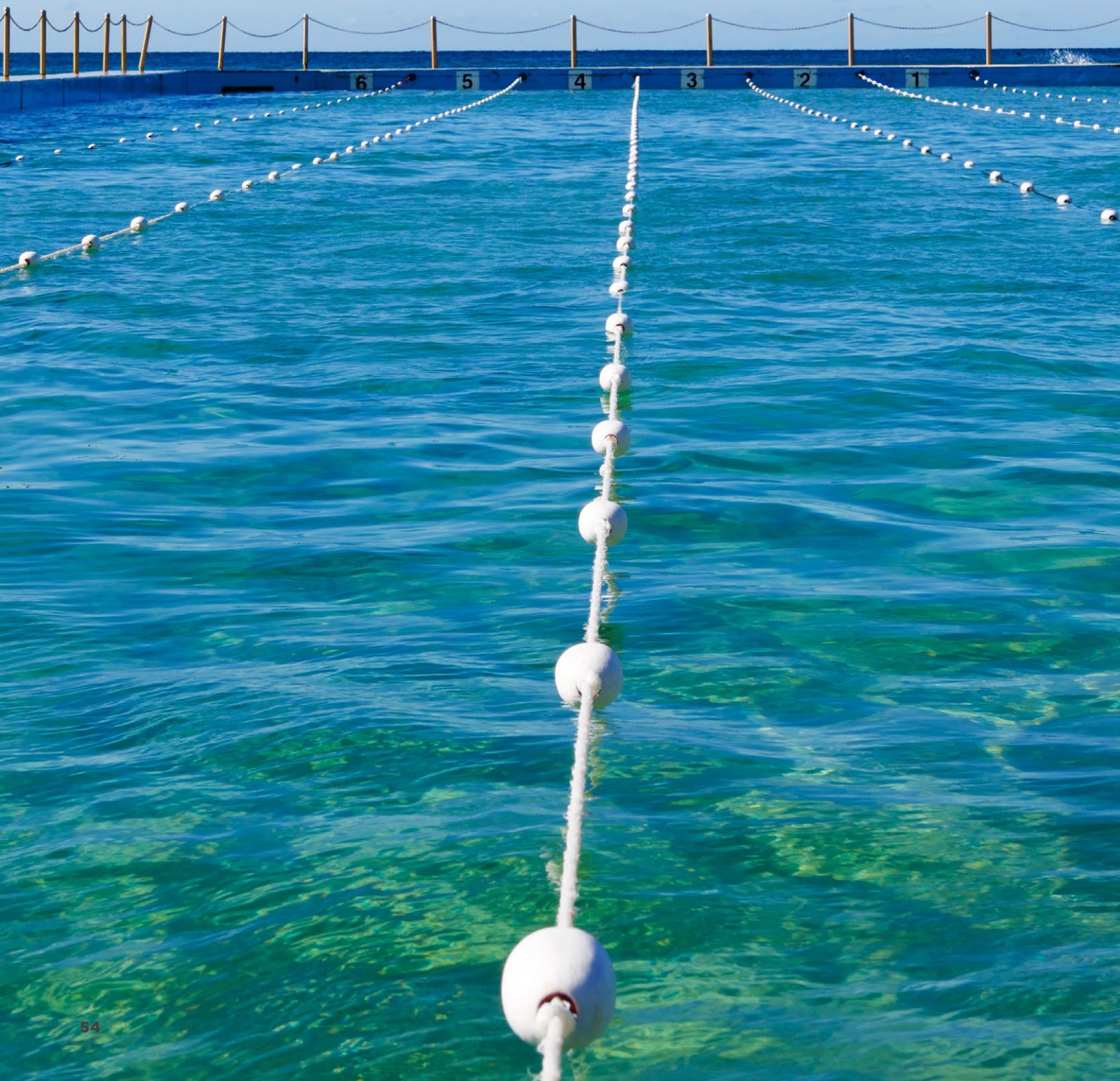
YMCA NSW

Sydney Olympic Park Aquatic Centre*

*State government-run



Appendix 1: Regulatory Activities



Performing 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 and 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 structured activities (such as learn to swim and aqua aerobics) and unstructured activities (such as paddling and water play) able to occur at the same time. Pool configuration and number of pools at the facility should also be taken into consideration for the purpose of surveillance.

Definition	Qualification	Professional Development
Facility/Centre Manager Requirements		
<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</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 Work Health and Safety legislation • risk management • safe chemical handling 	<p>Aquatic and management competencies deemed necessary by the council and providing credit towards the SIS40115 Certificate IV in Sport and Recreation in the SIS Sport, Fitness and Recreation Training Package. These competencies are appropriate for aquatic <i>management</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS40115 ;</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>Facility managers should hold a current membership with an appropriate industry professional body.</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 structured activities (such as learn to swim and aqua aerobics) and unstructured activities (such as paddling and water play) able to occur at the same time. Pool configuration and number of pools at the facility should also be taken into consideration for the purpose of surveillance.

Definition	Qualification	Professional Development
Aquatic Technical Operator		
<p>Those responsible for overseeing the operation and maintenance of pool plant and equipment.</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 Aquatic Technical Operator 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 • plant operation and maintenance • awareness of the Work Health and Safety Act 2011 • risk management • safe chemical handling 	<p>Aquatic technical operation and other competencies relevant to the specific role providing credit towards the SIS31015 Certificate III in Aquatics and Community Recreation in the SIS Sport, Fitness and Recreation training package. These competencies are appropriate for aquatic <i>operations</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS31015. For an outline of the Aquatic Technical Operator Skill Set, see http://training.gov.au/Training/Details/SISS00110</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>It would be advantageous to hold a current membership with an industry professional body.</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 or higher</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 structured activities (such as learn to swim and aqua aerobics) and unstructured activities (such as paddling and water play) able to occur at the same time. Pool configuration and number of pools at the facility should also be taken into consideration for the purpose of surveillance.

Definition	Qualification	Professional Development
Supervisory Personnel		
<p><u>Those responsible for overseeing the day to day operations of the facility e.g. Shift or Duty Manager.</u></p>	<p>1. Aquatic and other competencies providing credit towards the SIS31015 Certificate III in Aquatics and Community Recreation in the SIS Sport, Fitness and Recreation Training Package. These competencies are appropriate for <i>aquatic supervision</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS31015;</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p>
	<p><i>And</i></p> <p>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of the S1SSS00111 Pool Lifeguard Skill Set (https://training.gov.au/Training/Details/S1SSS00111);</p> <p><i>Or</i></p> <p>The equivalent in competencies from the SIS Sport, Fitness and Recreation Training Package, provided by a registered training organisation.</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 structured activities (such as learn to swim and aqua aerobics) and unstructured activities (such as paddling and water play) able to occur at the same time. Pool configuration and number of pools at the facility should also be taken into consideration for the purpose of surveillance.

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.	<p>RLSSANSW Pool Lifeguard Licence (updated annually) consisting of the SISSS00111 Pool Lifeguard Skill Set (https://training.gov.au/Training/Details/SISSS00111);</p> <p><i>Or</i></p> <p>The equivalent in competencies from the SIS Sport, Fitness and Recreation Training Package, provided by a registered training organisation.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</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 or higher.</p>

Safety Equipment (including first aid and rescue)

Signage

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 Ministry of Health 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 its individual risk assessment. Examples would include: rescue aids such as rope or flotation device (throw bag or rescue tubes), spine boards 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 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.

Consideration should be given to the provision of an Automated External Defibrillator (AED) to aid in resuscitation.

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).

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 6 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 contain information that is appropriate for the nature of activities conducted at the facility. For additional information refer to Appendix 4 and the following publications and/or organisations:

- RLSSA Guidelines for Safe Pool Operations
- Standards Australia for appropriate Australian Standards
- “Signs as Remote Supervision” developed by Statewide Mutual

Category 4 Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with typically medium patronage levels and enables both structured and unstructured activities to occur at the same time. Facility typically has infrastructure for unstructured activities, such as water slides or water play equipment.

Definition	Qualification	Professional Development
Facility/Centre Manager Requirements		
<p>A representative of the owner/ lessee having formal responsibility for the management of the facility.</p>	<p>Aquatic and management competencies deemed necessary by the council and providing credit towards the SIS40115 Certificate IV in Sport and Recreation in the SIS Sport, Fitness and Recreation Training Package. These competencies are appropriate for aquatic <i>management</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS40115;</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>Facility managers should hold a current membership with an appropriate industry professional body.</p>

Category 4 Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with typically medium patronage levels and enables both structured and unstructured activities to occur at the same time. Facility typically has infrastructure for unstructured activities, such as water slides or water play equipment.

Definition	Qualification	Professional Development
Aquatic Technical Operator		
<p>Those responsible for overseeing the operation and maintenance of pool plant and equipment.</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>Aquatic Technical 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 • plant operation and maintenance • awareness of the <i>Work Health and Safety Act 2011</i> • risk management • safe chemical handling 	<p>Aquatic technical operation and other competencies relevant to the specific role providing credit towards the SIS31015 Certificate III in Aquatics and Community Recreation in the SIS Sport, Fitness and Recreation training package. These competencies are appropriate for aquatic <i>operations</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS31015. For an outline of the Aquatic Technical Operator Skill Set, see http://training.gov.au/Training/Details/SISSS00110</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>It would be advantageous to hold a current membership with an industry professional body.</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 or higher.</p>

Category 4 Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with typically medium patronage levels and enables both structured and unstructured activities to occur at the same time. Facility typically has infrastructure for unstructured activities, such as water slides or water play equipment.

Definition	Qualification	Professional Development
Supervisory Personnel		
<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 SIS31015 Certificate III in Aquatics and Community Recreation in the SIS Sport, Fitness and Recreation Training Package. These competencies are appropriate for <i>aquatic supervision</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS31015;</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</p> <p><i>And</i></p> <p>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of the SISSS00111 Pool Lifeguard Skill Set (https://training.gov.au/Training/Details/SISSS00111);</p> <p><i>Or</i></p> <p>The equivalent in competencies from the SIS Sport, Fitness and Recreation Training Package, provided by a registered training organisation.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>It would be advantageous to hold a current membership with an industry professional body.</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 or higher.</p>

Category 4 Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with typically medium patronage levels and enables both structured and unstructured activities to occur at the same time. Facility typically has infrastructure for unstructured activities, such as water slides or water play equipment.

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.	<p>RLSSANSW Pool Lifeguard Licence (updated annually) consisting of the SISSS00111 Pool Lifeguard Skill Set (https://training.gov.au/Training/Details/SISSS00111);</p> <p><i>Or</i></p> <p>The equivalent in competencies from the SIS Sport, Fitness and Recreation Training Package, provided by a registered training organisation.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</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 or higher.</p>

**Safety Equipment
(including first aid and rescue)**

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 Ministry of Health 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 its individual risk assessment. Examples would include: rescue aids such as rope or flotation device (throw bag or rescue tubes), spine boards 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 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.

Consideration should be given to the provision of an Automated External Defibrillator (AED) to aid in resuscitation.

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).

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 6 of this Practice Note

Signage

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 Appendix 4 and the following publications and/or organisations:

- RLSSA Guidelines for Safe Pool Operations
- Standards Australia for appropriate Australian Standards
- “Signs as Remote Supervision” developed by Statewide Mutual

Category 3 Swimming Pool: (Local Community Swimming Pool). Facility with typically lower patronage levels and that typically consists of one small swimming pool, and possibly a wading/toddler pool. Both structured and unstructured activities can occur in these pools.

Definition	Qualification	Professional Development
Facility/Centre Manager Requirements		
<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 safety purposes.</p>	<p>Aquatic and other competencies providing credit towards the SIS31015 Certificate III in Aquatics and Community Recreation in the SIS Sport, Fitness and Recreation Training Package. These competencies are appropriate for <i>aquatic supervision</i> level. For a list of competencies together with descriptions and packaging rules, see http://training.gov.au/Training/Details/SIS31015;</p> <p><i>Or</i></p> <p>The equivalent industry qualifications or associated skills and knowledge deemed appropriate by the council.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</p> <p>Facility managers should hold a current membership with an appropriate industry 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 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>RLSSANSW Pool Lifeguard Licence (updated annually) consisting of the SIS31011 Pool Lifeguard Skill Set (https://training.gov.au/Training/Details/SIS31011);</p> <p><i>Or</i></p> <p>The equivalent in competencies from the SIS Sport, Fitness and Recreation Training Package, provided by a registered training organisation.</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>Continuing professional development could include participation in conferences and workshops that develop their knowledge and skills specific to the role they are required to perform.</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 or higher.</p>

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>Publicly accessible rescue equipment such as a rope or flotation device (throw bag or rescue tube).</p> <p>Where qualified personnel are provided it is advisable that first aid stations be established that enable rapid treatment and are readily accessible by qualified personnel. The type of equipment will depend on the circumstances of each facility and its individual risk assessment.</p> <p>For more information on Safety Equipment refer to Section 6 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 Appendix 4 and 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 • “Signs as Remote Supervision” developed by Statewide Mutual <p>A “No Lifeguard on Duty” sign should be displayed at times when there is no qualified person on premises.</p>

Category 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). Unstructured activities typically occur in these facilities. Patronage levels vary.

Definition	Qualification	Professional Development
Facility/Centre Manager Requirements		
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.
Supervisory Personnel		
Not Applicable	Not Applicable	Not Applicable

Category 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). Unstructured activities typically occur in these facilities. Patronage levels vary.

Definition	Qualification	Professional Development
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 safety purposes. Swimming enclosures should be checked by an appropriately designated person such as a beach lifeguard, surf club, or 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 council hires this area out for any recreational activity to schools, sporting groups or others then it is recommended that the council, as a condition of hire, requires a person supervising to hold 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, at a minimum. <p><i>And</i></p> <ol style="list-style-type: none"> 2. Nationally recognised First Aid Certificate, or the equivalent in competencies, updated every three years <p>*Note: for schools, Department of Education guidelines state that “at least one supervisor must hold current qualifications in one of the following: AUSTSWIM Teacher of Swimming and Water Safety Certificate, RLSSA Bronze Medallion, Swimming Teacher Rescue Award, SLSA Patrol Bronze Medallion or SLSA Surf Rescue Certificate”</p>	<p>To be determined by councils.</p>

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A warning and resuscitation sign displayed in the immediate vicinity as per the <i>Swimming Pools Act 1992</i>.</p> <p>Publicly accessible rescue equipment such as a rope or flotation device (throw bag or rescue tube).</p> <p>For more information on Safety Equipment refer to Section 6 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 Appendix 4 and 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 • “Signs as Remote Supervision” developed by Statewide Mutual <p>A “No Lifeguard on Duty” sign should be displayed at times when there is no qualified person on the premises.</p>

Category 1 Other: Natural still waterway that is an area known for unstructured, recreational swimming and associated activities (e.g. rivers, creeks, lakes, tidal pools). Patronage levels vary but are typically low.

Definition	Qualification	Professional Development
Facility/Centre Manager 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
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 safety purposes.	If council hires this area out for any recreational activity to schools, sporting groups or others then it is recommended that the council, as a condition of hire, requires a person supervising to hold the following qualifications:	To be determined by councils.
Council should take reasonable steps to encourage any patron using this facility to be accompanied by a responsible adult at all times.	<p>1. RLSSA Bronze Medallion award, or the equivalent industry qualifications from a registered training organisation, updated annually, at a minimum.</p> <p><i>And</i></p> <p>2. Nationally recognised First Aid Certificate, or the equivalent in competencies, updated every three years.</p> <p>*Note: for schools, Department of Education guidelines state that "at least one supervisor must hold current qualifications in one of the following: AUSTSWIM Teacher of Swimming and Water Safety Certificate, RLSSA Bronze Medallion, Swimming Teacher Rescue Award, SLSA Patrol Bronze Medallion or SLSA Surf Rescue Certificate"</p>	

**Safety Equipment
(including first aid and rescue)**

First Aid facilities

A warning and resuscitation sign displayed in the immediate vicinity of the pool area as per the *Swimming Pools Act 1992*.

Publicly accessible rescue equipment such as a rope or flotation device (throw bag or rescue tube).

For more information on Safety Equipment refer to Section 8 of this Practice Note.

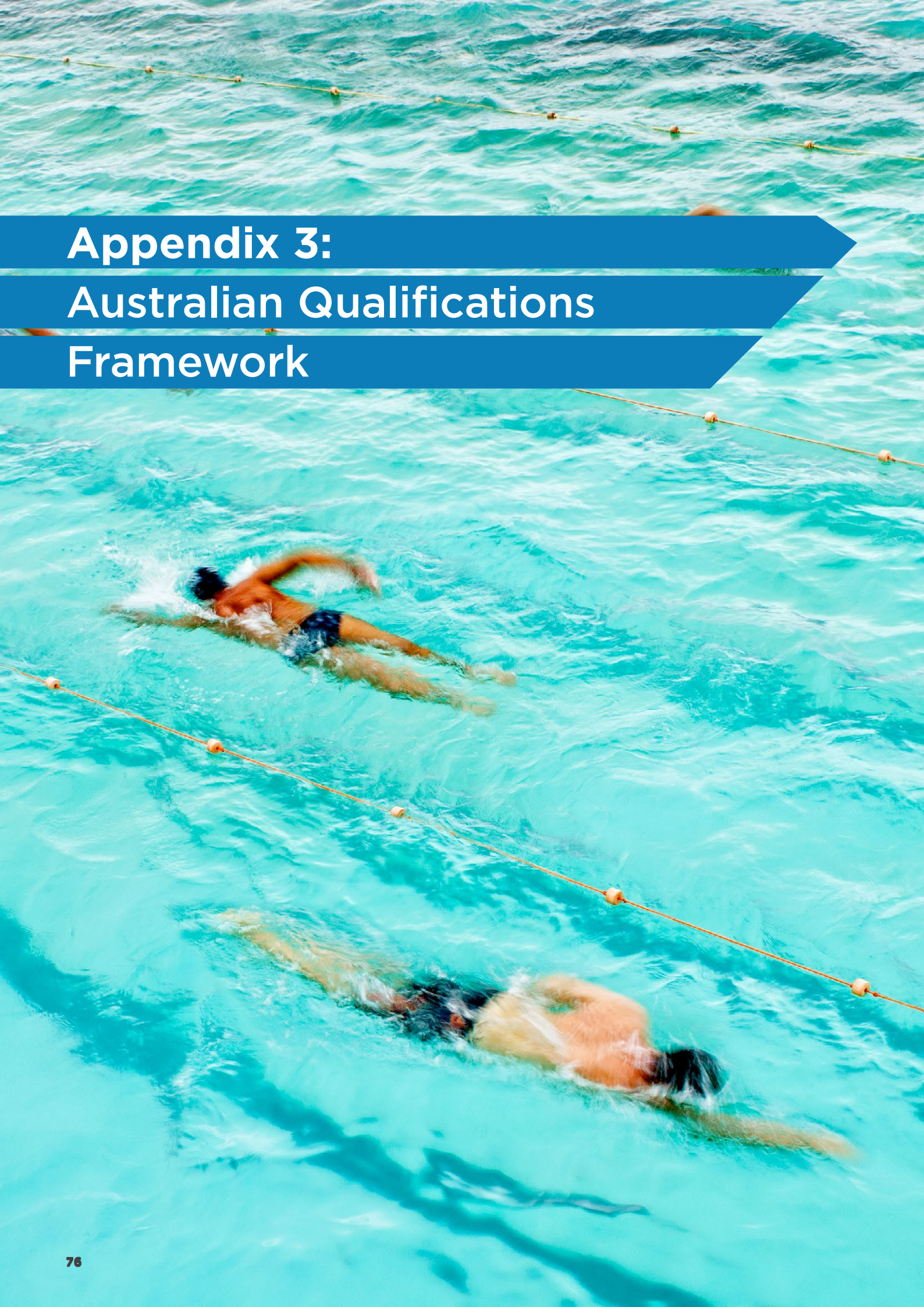
Signage

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 Appendix 4 and the following publications and/or organisations:

- RLSSA Guidelines for Safe Pool Operations
- Standards Australia for appropriate Australian Standards
- “Signs as Remote Supervision” developed by Statewide Mutual

A “No Lifeguard on Duty” sign should be displayed at times when there is no qualified person on the premises.



A photograph of two swimmers in a pool. The water is a vibrant turquoise color. Two orange lane lines with white floats are visible, running parallel to each other. The swimmer in the foreground is in a freestyle stroke, with their head down and arms extended. The swimmer in the background is also in a freestyle stroke, with their head above water and arms in a recovery phase. The background shows a blue sky and a white building.

Appendix 3: Australian Qualifications Framework

The Australian Qualifications Framework (AQF) is the policy for regulated qualifications in the Australian education and training system that has been agreed by Commonwealth, State and Territory ministers. The NSW Government supports this policy and strongly encourages councils to take it into consideration when making employment decisions.

PUBLIC SWIMMING POOLS

For up to date information on qualifications under the SIS Sport, Fitness and Recreation Training Package, including all Units of Competency available and registered training organisations, visit <http://training.gov.au/Training/Details/SIS>.

These qualifications are recommended minimum standards and councils are encouraged to tailor workforce development measures to their local circumstances, in line with their Integrated Planning and Reporting requirements. It is recommended that new employees also undergo an induction process that familiarises them with the aquatic facility they have been employed at, and are encouraged to undertake regular and continuing professional development.

The categories in Appendix 2 provide links to recommended minimum qualifications against each specific job role, where you can find detailed information about the qualification and skill sets, including a full list of competencies and packaging rules.

For smaller aquatic facilities, it is recognised that there may be significant crossover between roles. For example, the pool attendant may also be responsible for overseeing the operation and maintenance of pool plant and equipment. Councils should therefore be aware of their WH&S responsibilities and ensure that personnel are suitably qualified, undergo relevant induction and are supervised appropriately.

BEACHES

Council Employed Lifeguard or Contracted Lifeguard:

The minimum standards for beach environments are based on nationally accredited vocational competencies for the public safety industry found in the PUA12 Public Safety Training Package at <http://training.gov.au/Training/Details/PUA12>.

Councils should consider the benefits of lifeguard personnel maintaining a Professional Ocean Lifeguard Annual Proficiency Certificate or similar annual proficiency certificate that states a specific currency period of no more than 12 months.

1. Fitness and Strength

- Swim 800m in a 25m to 50m length pool in 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, 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, return patient unassisted and simulate patient care including placing patient in recovery position)
- Simulated motorised craft rescue (using IRB/RWC 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
- Work 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 PUA12 Public Safety Training Package to attain PUA21012 Certificate II in Public Safety (Aquatic Rescue), candidates may complete additional units to attain PUA31312 Certificate III in Public Safety (Aquatic Search and Rescue) and/or PUA42612 Certificate IV in Public Safety (Aquatic Search and Rescue Management).

For a full list of units of competency for these qualifications, as well as details of registered training organisations, see <http://training.gov.au/Training/Details/PUA12>.

Other Specialist Areas:*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.

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.

Water Polo:

- Australian Water Polo 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.

Appendix 4: Determining and Managing Appropriate Signs⁸



It is important that councils follow a clear and systematic approach when it comes to determining appropriate signage for aquatic facilities and locations under their care and control. Many liability claims arise based on allegations that appropriate signage was either absent or deficient, leading to third party injury. Having appropriate signage in place, that may alert the public to potential hazards, allows individuals to make an informed decision about undertaking activities in and around water and allows councils to be confident that they have fulfilled their duty of care.

The *Civil Liability Act 2002* recognises that signs are the cheapest form of providing information to the general public about safety issues. To ensure Council's signage program is effective it is important that councils make a clear commitment to the use of signs as a form of remote supervision and that it can demonstrate a consistent approach to the determination, management and maintenance of signs. This approach should not be restricted to aquatic environments, but also extend to all land under the care and control of council that is, or could be used, for recreational purposes.

It is recommended that an appropriate system for signage consider the following elements:

A Strategy for Signage

Councils have what is considered a civic responsibility to provide recreational and sporting facilities to address community needs. These needs will often be defined as part of a council's Community Strategic Plan or Delivery Program and outline the level of service that council is able to provide. Using signs that warn of potential hazards, imparting information that would otherwise require the presence of a staff member, is inherent to this service provision.

Council resources for the provision of community facilities and services are limited and the distribution of these should be defined at an organisational level. This can be done through an Asset Management Plan for recreational or aquatic facilities that includes signage, or separately as a Council Policy for signs. These policy documents should reflect council's approach to signage and the resources available to manage them.

Further, signage should not be thought of in isolation but as part of a council's broader risk management strategy. Taking a risk management approach to decision-making will assist councils in determining the circumstances in which a sign is to be erected, where it should be placed what information should be included on the sign and how the sign (asset) will be managed and maintained. It will also assist councils in deciding when and where signs as remote supervision may be insufficient to provide a proper duty of care, triggering further strategies such as lifeguarding services.

⁸ OLG acknowledges the assistance provided by Statewide Mutual in the development of this appendix.

A Risk Management Approach

Councils are encouraged to apply a risk management approach to signs within aquatic facilities and locations under their care and control. There are a number of different types of signage that councils may require, and it may be appropriate to either combine different types of signage into a single sign, or erect more than one sign within the facility. These signage types can include:

- Information or advisory signs
- Regulatory signs
- Signs as a form of remote supervision

Signs as a form of remote supervision could be further separated into signs provided at the entry to an enclosed aquatic environment such as a community pool or aquatic centre, and signs for informal or natural aquatic environments such as dams, rivers and beaches.

In the case of informal or natural aquatic environments, the determination of whether or not to erect a sign and sign content should follow a risk management approach that is consistent with council's signage strategy and avoids an ad hoc approach to erecting signage. Adopting a process based on prioritising the highest risk potential to users within the resource limitations of council is recommended. Such an approach could include consideration of factors such as the level of development, natural hazards, patronage and frequency of use. The Statewide Mutual Best Practice Manual for Signs as Remote Supervision suggests a possible technique which can be adapted to suit the individual circumstances of member councils.

CONTENT OF SIGNS

When determining the content of signs as remote supervision it is important that:

- A consistent method is applied to determine the message delivered by councils' signs
- A process of review is in place to ensure the message displayed on the signs remains up-to-date with legislation, regulations and standards.
- A process of inspection is used to ensure the sign remains in place, the message is legible, and the symbols depicted on the sign adequately address current circumstances.

While a formal decision-making process is required to determine the content to be included in an effective sign, the layout and appearance of signs can be tailored to suit individual councils. However, Australian Standards associated with the colours, size and structure of pictograms used on signs do need to be adhered to.

HAZARDS AND WARNING SYMBOLS

A risk assessment should be carried out to determine known hazards within a given facility/environment. This will help council to prioritise the hazards council wants to warn the community about through signage. Using a systematic process to select which hazards to warn against may assist councils in defending their decision-making process in the unfortunate event of an injury occurring, particularly if the injury is associated with a hazard not covered by the sign.

Demonstrating due process in the determination of the symbols depicted on signs as remote supervision is important and aligns with the overall management of the facility. It is recommended that councils use their own risk assessment guidelines and matrix to rate hazards in a way that is consistent with ISO31000:2009 Risk management: Principles and Guidelines. This may result in hazards

being rated into three or more categories (i.e. High, Medium, Low). Warnings depicted on signs should focus on offering:

- information on the highest known risks within a facility,
- should be based on the knowledge of facility managers,
- provide advice to users that they may not otherwise be aware

LOCATION

The location of signs can also be determined through a risk management approach. As a decision-making tool, the public should be able to see the sign before accessing a facility or location so they can, based on the information depicted on the sign, make an informed decision as to whether to proceed once the risks are known to them. In aquatic environments with very high and consistent levels of patronage and high risk potential the provision of supervision should be considered. As with other elements of the signage process, whatever council's approach it is important that the decision-making process is consistent and documented.

In the case of public pools, it is important that a sign should appear at all entrances provided to the pool including all warning, regulatory/prohibition, and emergency symbols. Warning symbols should also be placed in close proximity to the water bodies and other relevant signs placed in highly visible areas within the facility as reinforcement for hazards, rules, or advisory information. Sign content should be determined through a risk assessment process. Where possible, prohibitions based on safety factors should be supported by warning symbols. Regulatory information, facility rules, and other information pertaining to the facility may also appear on the same sign.

ASSET MANAGEMENT

Once signs are in place councils will need to ensure that they are managed appropriately as part of its asset management planning within the Integrated Planning and Reporting framework. A whole of life approach to the management of signage assets is recommended and the ongoing management, inspection and maintenance of these signs will ensure they remain effective warning tools to help protect public safety.

DOCUMENTATION

As with all areas and functions of a council, it is important to ensure that irrespective of the adopted process, records of all actions are kept and stored as part of a council's record management system. These records may become critical in the defence of a claim where an injury has occurred in a facility under the care and control of the council. Good records also demonstrate good governance and can improve the efficiency of a council's management systems. As a minimum, councils should record:

- council's signage strategy/policy and procedures for the management of signs
- the decision-making process behind the content and location of signs
- inspections, maintenance and corrective actions undertaken in accordance with council's strategy.

