



**Cassowary Coast Regional Council  
Local Law No. 13 (Swimming Pools) 2022**

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## Part 1 Preliminary

### 1 Short title

This local law may be cited as *Local Law No. 13 (Swimming Pools) 2022*.

### 2 Purposes and how they are to be achieved

(1) The purposes of this local law are:

- (a) to enable **Council** to regulate swimming pools for public health and safety;
- (b) to ensure that swimming pools comply with essential standards of health and safety; and
- (c) public pools are properly managed and supervised.

(2) The purposes are to be achieved by:

- (a) providing for the elimination or reduction of risk and threats to bathers or those using a swimming pool;
- (b) requiring appropriate supervision; and
- (c) making it an offence to operate a swimming pool in contravention of this local law.

### 3 Relationship with other laws

This local law is:

- (a) in addition to and does not derogate from laws for swimming pools;
- (b) to be read in conjunction with *Local Law No.1 (Administration) 2022* which contains provisions and definitions that apply to all local laws; and
- (c) made under the Chapter 3 of the **LGA**.

## Part 2 Control of swimming pools

### 4 Application

This local law applies to all swimming pools whether they are in a public place or are private.

### 5 Power to inspect

- (1) This section applies if an **authorised person** wants to enter a **premises** with a swimming pool to inspect it.
- (2) After giving reasonable written notice to the **responsible person**, the **authorised person** may:
  - (a) enter the **premises**, but not a home, without the permission of the **responsible person**; and

- (b) take reasonable action to assess the swimming pool and associated equipment. This may include taking samples of water from a swimming pool.
- (3) However, the **authorised person**:
  - (a) Must, as soon as the **authorised person** enters the **premises**, inform any **responsible person** of the **premises**:
    - (i) of the reason for entering the **premises**; and
    - (ii) that the authorised person is authorised under this local law to enter the property without the permission of the **responsible person**;
- (4) Nothing in this section removes the powers of the local government to enter **premises** under the **LGA**.

## 6 Compliance Notice to responsible person

- (1) An **authorised person** may, by **compliance notice** given to the **responsible person** of a swimming pool, require the **responsible person** to take specified action to manage the swimming pool.
- (2) The specified action may include:
  - (a) empty and clean the swimming pool;
  - (b) filter, chlorinate or otherwise treat the water in the swimming pool; and
  - (c) any other action that is reasonable to eliminate or reduce risk and threats to bathers or those using a swimming pool.

## 7 Standards of swimming pool

- (1) An operator of a swimming pool must:
  - (a) comply with the *Water quality guidelines for public aquatic facilities December 2019* minimum chemical criteria;
  - (b) provide rooms and facilities for changing, showering and sanitation;
  - (c) conduct regular testing of the water to ensure that biological contaminants are kept within acceptable levels;
  - (d) keep appropriate records of water testing, water treatment, chlorination, filtration and recirculation of swimming pool water and make them available for an **authorised person** to inspect;
  - (e) provide appropriate equipment for emergency medical treatment and first aid and rescue of persons in difficulty; and
  - (f) require the attendance at and supervision of the swimming pool where children are using the swimming pool at all times by a parent, another adult or a person with appropriate qualifications and experience.
- (2) It is an offence for a **responsible person** of a swimming pool, not to comply with these standards.

Maximum penalty for subsection (2) – 50 penalty units.

## CERTIFICATION

This and the preceding 3 pages bearing my initials is a certified copy of Cassowary Coast Regional Council *Local Law No. 13 (Swimming Pools) 2022* made in accordance with the provisions of the *Local Government Act 2009*, by Cassowary Coast Regional Council by resolution dated 28 July 2022

A handwritten signature in black ink, appearing to read 'Andrew Graffen', is positioned above the printed name.

Andrew Graffen  
Chief Executive Officer  
Cassowary Coast Regional Council