



**Cairns Regional Council
Local Law No. 8 (Swimming Pools) 2016**

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Cairns Regional Council

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 8 (Swimming Pools) 2016*.

2 Purposes and how they are to be achieved

(1) The purposes of this local law are:

- (a) to enable the local government 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 by supervision and
- (b) 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) 2016* 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 does not apply to a swimming pool if the swimming pool is:

- (a) on a local government controlled area;
- (b) a State swimming pool;
- (c) a swimming pool made available by a body corporate of a community titles scheme for use by the owners or occupiers of the lots of the scheme or their invitees;
- (d) on shared facilities accommodation premises where the operation of which is approved under a permit to operate shared facilities accommodation;
- (e) on hotel, motel or resort premises; or

- (f) not otherwise covered by the definition of 'swimming pool in *Local Law No 1 (Administration) 2016*.

5 Power to inspect

- (1) This section applies if an authorised person wants to enter a property with a swimming pool to inspect.
- (2) After giving reasonable written notice to the owner and the operator of the swimming pool, the authorised person may:
 - (a) enter the property without the permission of the operator of the swimming pool; 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 property, inform any operator of the swimming pool of the property:
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property without the permission of the operator of the swimming pool;
- (4) Nothing in this section removes the powers of the local government to enter properties under the LGA.

6 Compliance Notice to operator of swimming pool

- (1) An authorised person may, by compliance notice given to the operator of a swimming pool, require the operator of a swimming pool to take specified action to control 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 *Queensland Health Swimming and Spa Pool Water Quality Guidelines 2004* minimum chemical criteria;
 - (b) provide dressing rooms and facilities for 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 treatment, chlorination, filtration and recirculation of swimming pool water and make them available for Council officers 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 at all times or at specified times by a person with appropriate qualifications and experience.
- (2) It is an offence for an operator 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 Cairns Regional Council *Local Law No. 8 (Swimming Pools) 2016* made in accordance with the provisions of the *Local Government Act 2009*, by Cairns Regional Council by resolution dated 27 January 2016.

Peter Tabulo

Chief Executive Officer

Cairns Regional Council