

Public Health Regulation 2012

Part 3 Control of public swimming pools and spa pools

14 Definition

In this Part, natural swimming pool means a swimming pool that only contains untreated water that is supplied directly to the pool from the ocean or other natural water source and that does not have a circulation system.

15 Prescribed operating requirements

For the purposes of Division 3 of Part 3 of the Act, the prescribed operating requirements for public swimming pools and spa pools (other than natural swimming pools) are the requirements set out in Schedule 1.

16 Disinfection standards

For the purposes of section 36 (3) of the Act, the requirements set out in Schedule 1 are the prescribed standards for public swimming pools and spa pools (other than natural swimming pools).

17 Director-General may order temporary closure of public swimming pools and spa pools

(1) The Director-General may, by order in writing served on the occupier of premises at which a public swimming pool or spa pool is situated, direct the pool to be closed for use by members of the public until the order is revoked if satisfied on reasonable grounds that the pool is a risk to public health.

(2) An order must be accompanied by a statement in writing of the reasons for the making of the order.

(3) A person on whom an order has been served must comply with the terms of the order while it remains in force.

Maximum penalty: 20 penalty units.

(4) A person on whom an order has been served must, while the order remains in force, display a copy of the order in a conspicuous place at or near each entrance to the pool.

Maximum penalty: 10 penalty units.

(5) The Director-General must, by notice in writing served on the occupier of the premises concerned, revoke an order if satisfied on reasonable grounds that the public swimming pool or spa pool in relation to which the order is in force is no longer a risk to public health.

18 Director-General may order pool disinfection or other action

(1) The Director-General may, by notice in writing, direct the occupier of premises at which a public swimming pool or spa pool is situated to disinfect the pool, or to take any other action, in accordance with the direction if satisfied that the pool is a risk to public health.

(2) An occupier of premises to whom a direction is given must not, without reasonable excuse, fail to comply with the direction.

Maximum penalty: 20 penalty units.

19 Notification of public swimming pools and spa pools

(1) For the purposes of section 35 (2) of the Act, the local government authority for the area in which the public swimming pool or spa pool is located is prescribed and the notice is to be in writing and is to be accompanied by the fee (not exceeding \$100) determined by the local government authority.

(2) The occupier of premises at which a public swimming pool or spa pool is situated must notify the local government authority for the area in which the pool is located within 7 days of any change in the particulars provided to the authority in the approved form under section 35 (2) of the Act. No fee is payable for such a notification.

Maximum penalty: 10 penalty units.

(3) This clause does not apply to natural swimming pools.

20 Register of public swimming pools and spa pools

(1) Each local government authority is to maintain a register of public swimming pools and spa pools (other than natural swimming pools) in its area.

(2) The register must contain the following particulars relating to each public swimming pool or spa pool:

- (a) the address and telephone number of the premises on which the public swimming pool or spa pool is located,
- (b) the name and contact details of the occupier of the premises (including residential address, e-mail address and home, business and mobile telephone numbers),
- (c) the Australian Business Number (ABN) or Australian Company Number (ACN) (if any) of the occupier of the premises,
- (d) details of any inspections carried out by the local government authority for the purposes of the Act.

(3) A local government authority must on request make its register available for inspection without charge by the Director-General, a public health officer or an officer of the Ministry of Health authorised by the Director-General.