

FACT SHEET

PUBLIC POOLS & SIMILAR FACILITIES

OVERVIEW

Currently, in Australia there are numerous Acts and Regulations that regulate and guide the operations of Public Pools and Aquatic Facilities.

In addition to legislation, there are many other readily available resources such as Guidelines that may not be legally binding but provide important supportive material such as testing procedures, design, facility operational management, bather load limits and Definitions.

Whilst not comprehensive, this Fact Sheet seek to provide an overview of what is a Public Pool, Aquatic Facility or similar in Australia.

New South Wales - [NSW Dept. of Health](#)

Under the Act, a public swimming pool means a swimming pool or spa pool to which the public is admitted, whether free of charge, on payment of a fee or otherwise, including those swimming pools and spa pools:

- To which the public is admitted as membership of a club,
- Provided at a workplace for the use of employees,
- Provided at a hotel, motel or guest house or at holiday units, or a similar facility, for the use of guests, and
- Provided at a school or hospital, but not including a pool situated on private residential premises.

Resources

- [Public Health Act 2010](#)
- [Public Health Regulation 2012](#)
- [Public Swimming Pools and Spa Pools Advisory Document](#)

Australian Capital Territory - [ACT Health](#)

The [Code of Practice to minimise the public health risks from swimming/spa pools](#) applies to:

- public swimming pools and spa pools,
- pools where the public, members and their guests, customers and patrons may have reasonable access as part of a service or workplace and includes:
 - hotels, motels and serviced apartments
 - clubs
 - schools
 - gymnasiums & health resorts
 - squash and tennis centres
 - recreational resorts
 - hospitals (hydrotherapy pools)
 - workplaces, and places of adult entertainment
 - pools used to provide swimming lessons

The code of practice is not specifically designed to apply to private residential premises.

Resources

- [Public Health Act 1997](#)
- [Public Health Regulation 2000](#)
- [A Code of Practice to minimise the public health risks from swimming/spa pools Part A: General Guidelines](#)
- [Public Health risks from swimming/spa pools Part B: Information on the control of cryptosporidium and giardia](#)

Note: *Instances have been cited where compliance to the NSW Public Pools requirements is required.*

Queensland - [Queensland Health](#)

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Public Pools

The [QLD Health Swimming and Spa Pool Water Quality and Operational Guidelines](#) apply to pools that are open to the public and include pools located at:

- municipal and commercial sites
- schools
- hospitals
- hotels and motels
- leisure centres, health resorts, gymnasiums, clubs and resorts
- camps, caravan parks
- community health centres
- retirement villages, unit developments such as strata title or cluster title units.

They are not intended to apply to:

- private (domestic) pools and spas
- natural bodies of water

Regulated Pools

The [Qld the Building Act 1975](#) defines a Regulated Pool includes as a pool that is situated on regulated land and does not include a public pool.

It should be noted that within this Act, a public pool means a swimming pool open to the public, whether or not on payment of money, and operated by a local government or other statutory body under the Statutory Bodies Financial Arrangements Act 1982.

Resources

- [Public Health Act 2005](#)
- [Public Health Regulation 2005](#)
- [Qld the Building Act 1975](#)
- [QLD Health Swimming and Spa Pool Water Quality and Operational Guidelines](#)

Victoria - [Dept. of Health & Human Services, Victoria](#)

Public Pool

The [Pool Operators Handbook](#) is intended for use at all pools where the public are admitted - as either a primary or additional service.

The following examples are situations where the information in this Handbook should be applied:

- apartments and body corporates
- backpackers' hostels
- caravan and camping parks
- community and municipal pools
- exhibition pools
- gymnasiums, health & fitness studios
- hospitals and hydrotherapy centres
- prisons
- private clubs
- resorts, hotels and motels
- retirement villages
- schools and universities
- sports and leisure centres
- swim schools and workplaces

Aquatic Facility

The [Public Health and Wellbeing Regulations 2009](#) defines an aquatic facility as one that includes spa pools and swimming pools

An aquatic facility does not include:

- a whirlpool bath or spa bath that is, or intended to be, emptied of water after each individual use; or
- a dam, natural watercourse or ocean pool that is used for swimming; or
- a spring water pool that has a turnover rate of at least 25 percent of the entire volume of the water in the pool to waste each hour.

Resources

- [Public Health and Wellbeing Act 2008](#)
- [Public Health and Wellbeing Regulations 2009](#)
- [Pool operators' handbook](#)

South Australia - [SA Health](#)

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The [South Australian Public Health \(General\) Regulations 2013](#) provides the following definitions:

Public Spa Pool

- a spa pool that is for the use of persons on payment of an admission or membership fee; or
- a spa pool that is for the use of persons staying at a hotel, motel, guesthouse, camping or caravan ground or similar place where accommodation is provided on a temporary basis; or
- a spa pool that is for the use of persons who attend, or live or work on, the premises where the spa pool is located, but not if it is used in connection with a single private residence and is only available for the use of residents or their guests;

Public Swimming Pool

- a swimming pool that is for the use of persons on payment of an admission or membership fee or a fee for swimming instruction; or
- a swimming pool that is for the use of persons staying at a hotel, motel, guesthouse, camping or caravan ground or similar place where accommodation is provided on a temporary basis; or
- a swimming pool that is for the use of persons who attend, or live or work on, the premises where the swimming pool is located, but not if it is used in connection with a single private residence and is only available for the use of residents or their guests;

Resources

- [South Australian Public Health Act 2011](#)
- [South Australian Public Health \(General\) Regulations 2013](#)
- [Standard for the Operation of Swimming Pools and Spa Pools in South Australia](#)

Western Australia - [WA Dept. of Health](#)

Aquatic Facilities are defined within the [Health \(Aquatic Facilities\) Regulations 2007](#) as:

- one or more water bodies; and
- the plant associated with each water body; and
- the concourse for each water body; and
- the toilets, change rooms and similar facilities provided as part of the facility; and
- the lighting for the facility; and
- the fence or fences, and any other structure that excludes access, around each water body; and
- any other structure, building or plant necessary for the operation of each water body.

The following are not aquatic facilities for the purposes of these regulations:

- an aquatic facility operated by a strata company (as defined in the Strata Titles Act 1985 section 3) for a scheme (as defined in that section) in which there are less than 30 lots, each of which is a residential lot;
- an aquatic facility, that is part of a complex that consists of or includes dwelling units, if —
 - there are less than 30 dwelling units in the complex; and
 - only long-term residents of the complex and their guests are permitted to have access to the aquatic facility;
- (b) an aquatic facility that only uses water directly from the ocean;
- (c) a naturally occurring water body;
- (d) an aquatic facility that is exempt.

Resources

- [Health Act 2016](#)
- [Health \(Aquatic Facilities\) Regulations 2007](#)
- [Code of Practice - For the design, construction, operation, management & maintenance of Aquatic Facilities](#)

Northern Territory - [NT Dept. of Health](#)

The [Public Health Guidelines for Aquatic Facilities](#) apply to all aquatic facilities, including

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swimming pools, exercise pools, wave pools, recreational pools, wading pools, diving pools, SCUBA diving training pools, spa pools, waterslides, hydrotherapy and other therapeutic pools, that are used or available for use by the general public, employees, customers, tourist like accommodation, recreational and leisure industries, swimming instruction facilities or members of a club, association or body corporate.

Resources

- [Public and Environmental Health Act](#)
- [Public and Environmental Health Regulations](#)
- [Public Health Guidelines for Aquatic Facilities](#)

Public Spa Pool

A public spa pool means a pool or other water-retaining structure for human use that incorporates, or is connected to equipment that is capable of heating any water contained in it and injecting air bubbles or water into it under pressure so as to cause general turbulence in the water, to which the general public has access (whether for payment of a fee or not), or which is for the general use of guests in tourist accommodation;

Public Swimming Pool

A public swimming pool includes any swimming pool, waterslide, wave pool, hydrotherapy pool or other similar structure to which the general public has access (whether for payment of a fee or not), or which is for the general use of guests in tourist accommodation, other than: (a) a spa pool; or (b) a tidal pool or other similar structure where water flows in and out according to the operation of natural forces;

Resources

- [Public Health Act 1997](#)
- [Recreational Water Quality Guidelines 2007](#)

Tasmania - [Dept. of Health and Human Services](#)

The [Recreational Water Quality Guidelines 2007](#) provide the following definitions:

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