

## TERMS AND CONDITIONS OF HIRE

### BOOKINGS

- Tamworth Regional Council reserves the right to accept or deny any application prior to or after submission.
- After receiving your application and documentation, Tamworth Regional Council will supply a confirmation of booking letter. Bookings do not take effect until the confirmation letter has been received.
- Major sporting events are to be booked separately from regular season bookings e.g. school swimming carnivals, local, regional and state carnivals.
- All training (including swim club, water polo etc.) is to be booked in the same manner as other event bookings.
- Prior to the commencement of the event, the nominated person in charge must attend and complete a site induction with the pool supervisor.
- Hire fees will be charged in accordance with the current TRC Annual Operational Plan and payment is required for the times or entries set out in the booking confirmation letter.
- Tamworth Regional Council reserves the right to cancel your booking immediately by verbal or written notice for any breach of the Terms and Conditions of Hire.
- If a user group or hirer wishes to cancel a booking, they must give immediate notification to Council. The user group indemnifies Tamworth Regional Council in relation to loss of or damage to property and all actions, claims, demands, losses, damages, costs and expenses whatsoever and howsoever arising in respect of the user group not proceeding with the event or any competition forming part of the event or any breach of these terms and conditions for events by the user group except to the extent that such liability is caused by the negligence of Tamworth Regional Council.

### LANE HIRE

- People, user groups or hirers that maintain exclusive use of any part of the swimming pool will be charged a lane hire fee. This does not include any school groups participating in a sporting program under the direct supervision of a school teacher with the correct qualifications.
- School groups are still required to complete an application form to secure lane space and students are required to pay entry fees as stated in the applicable Annual Operational Plan – Fees and Charges.
- Professional coaches and instructors (not employed by resident swim clubs or water polo) are required to complete an application as stated in the aquatic management plan in order to conduct tuition and/or hire lanes in any Tamworth Regional Council aquatic facility.

### COUNCIL PROPERTY AND CARE

- It is the responsibility of the user group or hirer for any damages to the facility that are caused by the user group or hirer, except for reasonable wear and tear. Tamworth Regional Council's costs of repair will be charged to the user group or hirer by invoice.
- Any accidental damage to the facility should be reported to the pool supervisor upon discovery; this includes equipment, buildings and environment.
- The user group or hirer is responsible for the cleanliness of the facility. The facility must be left clean and tidy and returned to the condition before the time of hire.
- The user group or hirer must not interfere with any electrical wiring, switchboard or sound equipment at the venue.
- Only one electrical appliance can be used in each power point and double adaptors are prohibited. All appliances used by the user group or hirer must be tested and tagged.
- User groups are accountable for any loss or damage of keys. Replacements are to be paid for by the user group.

### FOOD AND BEVERAGES / SALE OF GOODS

- The user group or hirer must not conduct a stall, kiosk, shop or booth in any form for the purpose of selling, dispensing or exchanging of any items, including goods, food and beverages unless approval is sought in writing and granted from Council prior to the event.
- Glass objects or containers and alcoholic beverages are not permitted within any facility. It is the responsibility of the user to ensure this is enforced.

## NO SMOKING

- Tamworth Regional Council aquatic facilities are smoke free zone under the Smoke Free Environment Act 2000. Penalties may apply.

## ALCOHOL

- Tamworth Regional Council aquatic facilities are an Alcohol Free Zone. No alcohol must be sold, served or consumed at any facility.

## POOL CLOSURE

- If there is any dispute with regards to a pool closure the user group or hirer will refer the dispute to the Council.
- Tamworth Regional Council reserves the right in its sole discretion to close the aquatic facility due to inclement weather, safety reasons or for any other reason Council determines is valid.
- Tamworth Regional Council reserves the right to cancel a booking at a facility if it considers the environment likely to be unduly damaged by use.

## SUBLETTING

- User groups or hirers are not permitted to sublet any Tamworth Regional Council facilities to other user groups unless approved by Council.

## LIABILITY AND INSURANCE

- The user group or hirer must accept responsibility for any claim or damage to property or injury to persons which arises from their hire and use of the facility.
- All user groups or hirers must hold a current Public Liability Insurance policy for a minimum of \$20 million which indemnifies Council from or against all claims arising from the user group or hirer's legal liability as a result of its occupation. A copy of a current Public Liability Insurance Certificate of Currency must be provided to Council at the time of the booking application and must cover the event period.
- User groups or hirers must hold Workers Compensation Insurance with a reputable insurer and provide evidence of such insurance to Council upon demand. User groups or hirers must ensure that it holds insurance to cover claims for personal injury or death suffered by voluntary workers at the event and must provide evidence of such insurance to Council on demand.
- The user group or hirer accepts full responsibility for loss, damage or theft of any personal property, property stored at the facility or property on hire or loan.
- User groups or hirers must ensure they comply with all legislative obligations relating to the use and occupation of the facility including (without limitation) workplace health and safety, environmental management and planning laws.

## CHILD PROTECTION

- Under NSW Child Protection Legislation, all user groups or hirers who provide services to children and wish to hire the Council's facilities must have appropriate Child Protection policies and procedures in place including a 'Working with Children Check'.

## SAFETY

- All user groups or hirers must abide by the Tamworth Regional Council Aquatic Management Plan as a condition of entry.
- The user group or hirer is responsible for ensuring the event or booking is conducted in a safe manner.
- The user group or hirer is responsible for ensuring they are aware of and follow the evacuation procedure of the facility.
- All fire exits must be kept clear at all times.
- Any accident or incident must be immediately reported to the Pool Supervisor and an incident form must be completed and provided to Council.
- Any group wishing to conduct dive starts into the shallow end of the pool for relays must conduct a risk assessment of the activity before the event and acknowledge full responsibility for the consequences arising from the activity.



## SAFE SUPERVISION

- User groups or hirers are responsible for crowd control and direct supervision of all groups participants at all times whilst at the facility.
- At least one supervising teacher must possess a recognised current certificate in CPR.
- Teachers or school appointed delegate instructors engaged to instruct in Learn to Swim classes must possess the AUSTSWIM Teacher of Swimming and Water Safety Qualification.

## TAMWORTH REGIONAL COUNCIL CONDITIONS OF ENTRY

Tamworth Regional Council conditions of entry are displayed at the entrance of every TRC aquatic facility and are also available on the website. They are as follows:

- Management reserves the right to refuse entry
- Any patron under the influence of drugs or alcohol will not be permitted into the facility
- Anyone attempting to gain entry without paying or without authorisation will be prosecuted
- No passouts will be issued
- No glass objects or alcoholic beverages are permitted in the facility
- Please observe pool rules at all times
- Abusive, disruptive or offensive behaviour and language are not permitted. Offenders will be removed from the facility
- Children (under 10 years) are not allowed entry unless under **active** supervision of a person 16 years or older
- Tamworth Regional Council staff only, are permitted to conduct learn to swim and private swimming lessons within the facility
- Articles of clothing such as street wear are strictly prohibited. Only recognised swimwear, made from lycra and nylon is to be worn in the water.
- Please read and adhere to the swimming hygiene policy
- No pets or animals permitted in the facility, with the exception of Guide Dogs
- Cameras and mobile phones are not permitted in changerooms
- Tamworth Regional Council accepts no responsibility for lost or stolen belongings
- All Tamworth Regional Council aquatic facilities are non-smoking venues.

Use of the facility is subject to the Conditions of Entry, Pool Rules and Hygiene Policy. Tamworth Regional Council reserves the right to remove a person from an aquatic facility for the refusal to comply with the Conditions of Entry.

## TAMWORTH REGIONAL COUNCIL HYGIENE POLICY

### For the health and safety of others –

- Do not use the pool if you have had diarrhea in the past two weeks
- Close fitting swimming costumes must be worn at all times
- Use the toilet and the shower (using soap) prior to entering the pool
- Avoid swallowing or putting pool water in your mouth
- When trying on swimming costumes to purchase, your own swimwear or undergarments must be worn underneath

### Non-toilet trained infants –

- Must wear aqua-nappies (disposable or re-usable) with swimmers over the top
- Under no circumstances are regular nappies to be worn while swimming
- Should be taken to the toilet frequently
- Should have their activities restricted to the toddlers pool if possible
- Nappies are to be changed in the changerooms and not at the poolside
- The child should be showered properly after changing and the carer should wash their hands immediately afterwards
- Soiled nappies are to be disposed of in the bins provided in the changerooms.

## KEEP WATCH @ PUBLIC POOLS

*“Keep Watch @ Public Pools is an integrated water safety program which aims to increase awareness of the strategies available to keep children safe when in, on or around public pools and aquatic facilities. The ultimate aim of the program is to eliminate all drowning deaths and near drowning incidents that occur in aquatic leisure centres, public swimming centres and pools. In the short term it is hoping to increase awareness of strategies to keep children safe, change attitudes about what is appropriate safety at public swimming pools and raise awareness about preventative strategies. It also aims to highlight the need for an increase in parental responsibility, rather than relying on pool lifeguards to babysit children.” Royal Life Saving Society Australia.*

The Keep Watch @ Public Pools policy and the ages within it represent minimum standards that Royal Life Saving expects of public pools however Royal Life Saving encourages pools to adopt a higher standard. The minimum standards are as follows:

- Children (under 10 years) are not allowed entry to a TRC aquatic facility unless under **active** supervision of a person 16 years or older.
- Parents and carers should **actively** supervise their children at all times. As such, they should be dressed ready for action, including unexpected entry to a pool.
- **Children 0 - 5** – For 0-5 years old and non-swimmers a parent or carer is in the water at all times within arms’ reach of the child. It is best if you are engaging with your child i.e. playing with them, talking to them.
- **Children 6 – 10** – For 6-10 years old constant **active** supervision is required. Be prepared to get wet and enter the water with this age group.
- **Children 11 - 14** – For 11-14 year olds it is recommended that parents check up on their child by physically going to the point where they are in or around the water.

**Active** supervision is defined as consisting of four key elements:

- **Be Prepared** – parents/carers should ensure they have everything they need before getting into the water such as towels and dry clothes
- **Be Close** – parents/carers should always be within arms’ reach of their child
- **All Of Your Attention** – parents/carers should focus all of their attention on their child and get into the pool and talk and play with them
- **All Of The Time** – parents/carers should never leave their child alone in the water, nor should they be left in the care of an older child or the Lifeguard at the public pool

## DIVING

- A dive is defined as entry into water where the upper body (hands, arms and head followed by the torso and lower limbs) enters first during activities.
- “No Diving” prohibition notices conforming to the GSPO are displayed where it is considered unsafe to dive from the poolside.
- Only qualified swim coaches, lifesaving instructors (excepting beach lifesaving) and licensed swimming and water safety teachers should instruct safe water entries and diving skills.
- Any group wishing to conduct dive starts into the shallow end of the pool for relays must conduct a risk assessment of the activity before the event and acknowledge full responsibility for the consequences arising from the activity.
- In water depth less than 900mm dive starts are not permitted. All events should commence in the water.