



14 October 2011

SUBMISSION: Public Health Regulation 2011

1. INTRODUCTION

SPASA NSW is the peak body within the NSW and ACT swimming pool and spa industry, representing hundreds of Australian businesses. Members of SPASA NSW include leading pool builders, manufacturers, suppliers, retailers, technical servicemen, subcontractors, installers, consultants and other allied trades, all of whom set themselves apart from the rest of the industry by setting standards of skill, workmanship and ethical business behaviour.

2. PURPOSE OF SUBMISSION

The NSW Department of Health proposed to make the Public Health Regulation 2011 under the Public Health Act 2010.

The proposed regulation sets out matters relating to suppliers of drinking water, environmental health premises (public swimming pools and spa pools, skin penetration premises and premises containing regulated systems), notification of medical conditions and other miscellaneous matters.

This following submission seeks to provide the NSW Department of Health with feedback relating to the Public Health Regulation 2011.

3. GENERAL COMMENTS

Schedule 1

Part 3

- (1) It would be helpful to include 'automated' and 'continuous metered disinfectant dosing systems' in definitions. Without a definition, these terms are open to misinterpretation.
- (2) This paragraph only allows chlorine or bromine disinfection. There are other viable methods in use, such as ozone and UV. Neither ozone nor UV are residual sanitisers, both they are used in public swimming pools. The current Public Swimming Pool and Spa Pool Guidelines also include Polyhexamethylene Biguanide and Hydrogen Peroxide. Part 11 of this draft refers to the use of Ozone. Consistency between parts is required.

Part 8

- (3) This is a very poor definition of a 'high-risk pool'. Surely a pool does not fall into this category if the average usage is exceeded by one or two people. Does average mean per day/per week/per month? This definition is open to misinterpretation.

Part 9

- (2) The current Public Swimming Pool and Spa Pool Guidelines require manual testing twice a day as per this draft's Part 9 (1) requirement for recording. It also makes sense to manually check the water quality before allowing people to use the pool.

Part 10

- (3) There is no reason for this paragraph to be included. The frequency of testing is at odds with good practice in maintaining water balance in the pool. TA testing should be done once per day irrespective of sanitiser or pH control.

Part 11

- (1) and (2) Ozone is excluded from use in Part 3 of this draft. We assume this is simply a drafting omission.

Part 12

While clarity is obviously an important issue in regard to water quality, it is pointless testing monthly. Water clarity changes constantly. Clarity can be acceptable at one time and not acceptable say 30 minutes later. If it is to be tested then daily is the only frequency that makes any logical sense.

Part 14

Not really sure why this level is of concern. If this is included, there remains the question of a practical method of testing Hydantoin.

4. TRAINING

SPASA NSW is a Registered Training Organisation (RTO) and supports the requirement for occupiers to be licensed before they are permitted to operate a public swimming pool or spa pool.

The introduction of a licensing system would provide a means of ensuring that specific standards are met both in terms of facilities where swimming pools and spas are located and the level of skill and understanding of infection control practices by persons conducting these procedures.

5. CONCLUSION

SPASA NSW remains committed to working with the NSW Department of Health to ensure that the best possible outcomes for the Public Health Regulation are achieved.

Should you require clarification on this paper please do not hesitate to contact me on Tel: (02) 9747 6644, Mob: 0404 818 666 or email sdassakis@spasa.org.au.

Yours Sincerely

A handwritten signature in black ink, consisting of a large, stylized 'S' shape enclosed within an oval outline.

Spiros Dassakis
Chief Executive Officer