



Cumberland Council Aquatic Facility

Terms & Conditions of Entry

By entering this aquatic facility, you agree to the following T&Cs of entry.

You are responsible for your actions and enter at your own risk.

Membership, Casual Visits and Entry Fees

- (1) An entry fee to access the aquatic facility (**Facility**) must be paid in accordance with the fee schedule (available on Council's website).
- (2) The entry fee enables entry to only once.
- (3) For casual visitors (**Visitors**), "pass out" passes may be issued at the discretion of staff to enable visitors to leave the Facility for a maximum period of ten (10) minutes.
Visitors will be required to pay the applicable entry fee if they do not re-enter the Facility within this timeframe.
- (4) Membership and casual visitor passes must be swiped at reception to gain entry into the Facility.
Entry will not be permitted without a visitor card.
- (5) Lost cards must be reported to reception for replacement.
A fee will be charged for replacement cards.

Re-entry into Premises

- (1) Any person who fails to comply with any of these T&Cs may have their membership or visitor pass revoked or cancelled without refund. In addition, management may, either temporarily or permanently, prevent future entry by that person from the Facility, or from any other Council Aquatics & Leisure facilities.
- (2) Any person who attempts to remain in the Facility or re-enter after being asked to leave will be immediately reported to the police.

Identity Verification

- (1) Visitors are encouraged to create a verified profile in our Point-of-Sale System by:
 - (a) Scanning government-issued photo identification via the Visitor Management System.
 - (b) Providing full name, date of birth, address, and contact details.
 - (c) Having a profile photo taken and receiving a membership card for sign-in and use upon each visit.

- (2) All Visitors who decline to create a verified profile are subject to the Visitor Management System (**VMS**) sign in process and are required to scan government issued photo identification (for example, current driver's licence, passport, or government identification) *for each visit* and must comply with these T&Cs.
- (3) Memberships and Visit Passes are not transferable.
 - (d) A photo of every person who enters the Facility will be taken for safety and security reasons and placed on the member's verified profile on our point-of-sale system.
 - (e) If you decline to have your photo taken for identification purposes, you will be required to scan your driver's licence or government issued identification each time you wish to enter the Facility.
 - (f) If you decline to scan your driver's licence or government issued identification, you will be required to have a staff member physically sight a form of photo identification each time you wish to enter the Facility.
- (4) We will respect cultural differences and medical conditions in verifying a person's identity, but we reserve the right to either refuse entry or remove anyone whose identity cannot be established.
- (5) All information is recorded and used in accordance with the *Privacy and Personal Information Protection Act 1998 (NSW) (PPIP Act)*.

Personal Information & Privacy

- (1) Council collects personal information to keep a record of Members and to help to maintain the safety of Members and Visitors at all Council facilities.
- (2) Any personal information collected, stored, used, and destroyed using the VMS is undertaken in accordance with the PPIP Act (which includes the Australian Privacy Principles).
- (3) All personal information is safely stored locally within a highly secured cloud-based server for a period of 60 days in line with Council's CCTV in *Public Places Program* (except where an incident has occurred, and further investigation is required).
- (4) The intended recipients of all personal information include:
 - (a) Council officers;
 - (b) data service providers engaged by Council from time to time (as needed);
 - (c) any other agent of the Council; and
 - (d) the police or other relevant authority (as needed).
- (5) The supply of personal information by a person is voluntary but may impact whether they are granted entry to the Facility. If a person cannot provide or does not wish to provide the information sought, Council may be unable to permit access to the Facility.
- (6) Once collected by Council, personal information can be accessed and may also be available to third parties in accordance with Council's *Access to Information Policy and Privacy Management Plan*.
- (7) A person may apply to management to access or amend their personal information at any time.
- (8) A person may also request that Council suppress their personal information from a Public Register. Council will consider any such application in accordance with the PPIP Act.
- (9) For the purpose of Privacy Laws, Council is to be regarded as the agency that holds the information.

(10) Enquiries concerning this matter can be addressed to Council's Privacy Contact Officer on (02) 8757 9816.

Children at the Facility

(1) Children aged 15 years or under are not permitted entry to this Facility unless accompanied by a parent or legal guardian.

- (a) A maximum of four (4) children may be signed in by the same parent or legal guardian on arrival *per visit*.
- (b) The parent or legal guardian is responsible for the conduct and behaviour of all the children that they have signed in and may be subject to further consequences in relation to any conduct and behaviour that is non-compliant with these Terms & Conditions of Entry requirements

(2) Children aged 0-5 years of age must be accompanied in the water and must remain within arms' reach of an adult aged 18 years+ at all times whilst within the Facility in accordance with the *Royal Life Saving's Keep Watch Policy*.

The parent or legal guardian may permit another person aged 16 years+ to accompany a child in accordance with this rule.

A supervision ratio of 1:2 applies for supervising children aged 0-5 years.

(3) An adult aged 18+ must actively supervise and maintain constant visual contact of children aged 6-15 years of age.

The relevant adult may permit another person aged 16 years+ to supervise a child in accordance with this rule.

A supervision ratio of 1:4 applies for supervising children aged 6-10 years.

(4) Members and Visitors are asked to "toilet" all children aged 5 years and under who are in their care, prior to allowing them to enter the pools.

(5) Non-toilet trained swimmers must wear Facility-approved "swim nappies" whilst in the water at all times.

Child Protection

(1) The operation of Council's Facility is intended to promote and safeguard the safety, welfare and wellbeing of children and young people.

All Members and Visitors are expected to behave accordingly.

(2) Council reserves the right to contact parents or guardians of any child under 16 years for whom there are welfare or safety concerns, or to notify any appropriate agency or authority.

(3) Staff should immediately be notified if a person has any concerns about the welfare or safety of a child or young person as per the NSW Office of Children's Guardian *Child Safe Standards*.

Weak Swimmers and Non-swimmers

(1) Each person should be aware of their own swimming ability and swim within areas suitable to their capabilities.

(2) If a person is a weak swimmer or non-swimmer (high-risk patron) they must identify themselves to staff before entering the Facility.

- (3) Weak swimmers and non-swimmers must be actively supervised at all times by an accompanying adult (who is capable of swimming).

Security

- (1) To ensure the safety of all Members, Visitors, and staff, CCTV cameras are recording throughout the internal and external areas of the Facility except within changing rooms.
- (2) Any person entering the Facility consents to and authorises Council to record or photograph them and to distribute video and images when required by an authorised officer or by law.
- (3) Images captured on CCTV are used for the purposes of crime prevention and may be used by the police for investigation.
- (4) Recordings (including images) captured using CCTV is safely stored locally within a highly secured cloud-based server for a period of 60 days in line with Council's CCTV in *Public Places Program* (except where an incident has occurred, and further investigation is required).
- (5) The operation of the CCTV system is subject to the PPIP Act.
- (6) The CCTV system is owned and operated by Council.
- (7) All recordings (including images) are the sole property of Council.

Mobile Phones & Cameras

- (1) The use of cameras and mobile phones for the purpose of taking photos and videos is strictly prohibited in change rooms at all times.
- (2) Any use of photography, audio or video equipment must be authorised by Management.
- (3) If approved by Management, Members and Visitors are asked to respect the privacy of others when videoing or photographing their family members or friends.
- (4) Members and Visitors are not permitted to take photographs of other Members or Visitors without their consent.

Personal Responsibilities

- (1) Members and Visitors are responsible for their own personal belongings.
- (2) Lockers are available for use. Please ask staff for assistance if required.
- (3) Appropriate swimwear must be worn at all times. Refer to swimwear signage at the Facility.
- (4) Showering is recommended before entering the water.
- (5) Anyone with an infectious or contagious disease or skin complaint must notify staff at the entrance before seeking entry into the Facility.
 - (a) Entry may be granted at the sole discretion of Council.
 - (b) If entry is granted, Council may impose conditions as it determines appropriate (including restricting use of the pools or change rooms).

Food & Alcohol

- (1) Commercially prepared food and all food delivery services are not permitted within the Facility unless previously approved by Management.

- (2) Alcohol must not be brought onto the Facility unless it is to be sold or served by an approved catering supplier and has been approved by Council as part of a formal booking arrangement.
- (3) The consumption of food and refreshments is permitted at the Facility provided that Members and Visitors dispose of their rubbish in the designated bins and respect others around them.
- (4) Members may bring homemade food items upon arrival to the Facility provided it is packed and disposed of appropriately in the bins provided.
- (5) Any cooking and warming appliances or equipment used for the preparation of food are not permitted at the Facility.

Do not litter. Please be respectful of others and use the bins provided.

Conduct Rules

- (1) Smoking or vaping are prohibited within the Facility and within ten (10) meters of the entrance.
- (2) No eating is permitted in or around pool edge.
- (3) The following may *not* be brought into the Facility: alcohol, drugs, glass and other breakables, knives, any substance likely to cause damage to property, animals (other than guide dogs for the visually impaired and companion animals), bicycles, scooters, roller blades or skateboards.
- (4) People affected by drugs or alcohol will be denied entry.
- (5) No abusive, offensive behaviour, bad language or spitting directed at staff or other patrons is permitted.
- (6) No sitting on or touching lane ropes or other pool related equipment.
- (7) Pushing, running, front and back flips, somersaults, bombing, ball games or rough play are prohibited.
- (8) Water pistols, boogie boards, recreational surfboards or large inflatables are not permitted.
- (9) Riding bicycles, E-Bikes, skateboards or scooters is prohibited within the Facility.
- (10) At all times when using swim lanes:
 - (a) Members and Visitors must keep to the left side of the lane.
 - (b) When overtaking other swimmers within the lane, Members and Visitors must ensure that there is no risk of collision from oncoming swimmers.
- (11) Lane space will be allocated and managed according to demand. Staff will monitor and may adjust the lane space at any time at their discretion.
- (12) Members and Visitors must not damage pool property or Facility equipment. In addition to any penalty that may be imposed for such damage, the Member or Visitor concerned may be liable to pay the full repair or replacement costs of the damaged property.
- (13) Banned items will be confiscated by staff and returned only upon exit from the Facility.
- (14) Topless sunbathing, nudity and changing in public spaces is not permitted.
- (15) Staff must be notified of any faecal incident immediately. In the event of contamination, the pools may be evacuated and closed in accordance with the relevant *NSW Guidelines for Public Swimming Pools and Spa Pools*.
- (16) Staff reserve the right to close any pool to additional Members and Visitors when it reaches capacity as per the *Royal Life Saving Guidelines*.

Removal of Persons & Refusal of Entry

(17) Council reserves the right to refuse entry or remove Members and Visitors that:

- (a) appear to be under the influence of alcohol or drugs;
- (b) attempt to gain entry to the Facility without signing-in using the VMS;
- (c) displaying abusive, disruptive, or offensive behaviour towards other Members, Visitors, or staff;
- (d) are deemed to be conducting illegal activity;
- (e) do not follow the instructions of staff;
- (f) conduct commercial activities without prior approval of management;
- (g) wear, display, or otherwise distribute inappropriate, offensive images, logos or materials; or
- (h) attempt to enter the Facility with any item that has the potential to cause injury or public nuisance (e.g., sharp objects, glass, large inflatable floatation devices, banners, shopping trolleys, oversized bags, etc.).

(18) Offenders may be subject to a “Ban Notice” for a determined period (3 months – lifetime depending on severity) if found to have breached any of these T&Cs.

(19) Any illegal acts in the Facility will be immediately reported to the police.

Professional Coaching

- (1) No professional coaching or training is permitted.
- (2) Lane hire is available. Please see management.

Hours of Operations

Members and Visitors are required to:

- (1) exit the water 15 minutes prior to the Facility’s closure time; and
- (2) leave the Facility before the advertised closing time, as shown below.

Granville Swim Centre

<u>October to March</u>	<u>April to September</u>
Monday - Friday: 5am - 8pm Saturdays: 6am – 7pm Sundays & Public Holidays: 7am - 7pm Christmas & Boxing Day: Closed	Monday - Friday: 5am - 7pm Weekends & Public Holidays: 7am - 4pm Good Friday: Closed ANZAC Day: 12pm – 4pm

Wentworthville Swim Centre

<u>October to March</u>	<u>April to September</u>
Monday - Friday: 6am - 8pm	Monday - Friday: 6am - 7pm
Saturdays: 6am – 7pm	Weekends & Public Holidays: 7am - 4pm
Sundays & Public Holidays: 7am - 7pm	Good Friday: Closed
Christmas & Boxing Day: Closed	ANZAC Day: 12pm – 4pm

Merrylands Swim Centre

<u>October to March</u>	<u>April to September</u>
Monday - Saturday: 6am - 7pm	Monday - Friday: 6am - 7pm
Sundays & Public Holidays: 7am - 7pm	Weekends & Public Holidays: 7am - 4pm
Christmas & Boxing Day: Closed	Good Friday & ANZAC Day: Closed

Emergency Evacuation

- (1) In the event of an emergency, Members and Visitors must follow the instruction of staff and emergency signage provided.
- (2) Please move safely to the assigned exit using the emergency exit signage and remain in the Emergency Assembly Area until advised by staff it is safe to leave.

Staff will advise all Members and Visitors of the location of the Emergency Assembly Area.

Indemnity & Release

Members and Visitors enter the Facility at their own risk and will indemnify and keep the Council indemnified for and against all damages, action, suits, claims, costs, and demands, which may be made or recovered against the Council by any person whatsoever in respect of any loss, injury, death or damage caused by an act or omission (whether caused negligently, maliciously, or otherwise) of a Member or Visitor whilst in or at the Council's Facility.

This indemnity does not apply to the extent that such loss, injury, death or damage is caused by the negligence of Council, its servants and agents.

FAILURE TO COMPLY WITH ANY OF THESE T&Cs WILL RESULT IN THE PERSON OR GROUP BEING EVICTED FROM THE FACILITY WITHOUT REFUND.

THE PERSON OR GROUP MAY ALSO BE BANNED FROM ALL CUMBERLAND CITY COUNCIL AQUATIC OR RECREATIONAL FACILITIES.

Legal Notice

This notice is made under s632 and s633 of the *Local Government Act 1993* (NSW).

It is an offence:

- not to comply with the terms of this notice; and
- for any person to wilfully obstruct an employee of a council in the exercise of that person's functions under the *Local Government Act 1993* (s660).

Penalties may apply to any non-compliance.

Council reserves all rights to alter these terms and conditions at any time at its sole discretion.