

Commercial Swim Schools and Coaching Operations at CODC pools

Department:	Aquatics – Community Experience
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Purpose:

This policy provides a framework for commercial swim school and coaching operations to access Central Otago District Council aquatic facilities.

Principles and objectives:

- To support community access to quality swim education and coaching
- To comply with Water Space Allocation Guidelines for fair and transparent allocation of limited pool space, and to ensure priority users and community access is maintained as commercial opportunities expand
- To maintain fair access for operators through a transparent, competitive process with quality standards – including minimum qualification, insurance, and safety requirements
- To support the long-term financial sustainability of Council aquatic facilities
- To ensure commercial operations have a community benefit and complement, not replace, Council swim education services.

Scope:

Activities covered:	Activities not covered:
• Commercial swim schools providing learn-to-swim programmes • Private swim coaching operations (group or individual) • Competitive swim training programmes operated on a commercial for-profit basis • Elite athlete coaching arrangements	• CODC swim education programmes • Registered clubs • Casual private swim lessons • School swimming programmes • Not-for-profit community organizations

Definitions:

Commercial Operator	Any person or organization operating a swim school or coaching service for profit, including sole traders, partnerships, and limited companies.
Elite Athlete	A swimmer competing at regional, national, or international level, or identified as part of a regional or national high-performance pathway.
Pool Space	Lane allocation within Council lap pools during designated hours of operation.
Priority System	Prioritisation system 'Water Space Allocation Guidelines' that outlines how pool space is allocated across a range of priorities. (Priority #) denotes the priority allocation given to a user group under these guidelines.
Swim Coaching	Instruction focused on technique development, competitive training, or performance improvement.
Swim School	A structured programme providing learn-to-swim instruction, water safety education, or foundational swimming skills.

Policy:

All Pool Space is allocated in accordance with Water Space Allocation Guidelines.
Commercial operations are classified as Priority 6 and must not displace Priority 1-5 users.

Operator Requirements

To be eligible to operate commercial swim school or coaching services at Council pools, operators must hold:

Qualifications:

- Recognised swim teaching or coaching qualification
- Current First Aid certificate
- Valid police vetting

Business Registration:

- NZBN registration (for companies/businesses)
- GST registration, if applicable
- Compliance with all relevant business regulations

Insurance:

Public liability insurance provides the operator with protection in the event their operation or negligence causes damage or loss to Council or other third-party property. Professional indemnity insurance provides the operator with protection in the event their advice, instruction, or error leads to damage or loss to Council or other third-party property.

Operators are strongly encouraged to maintain adequate public liability insurance and may also hold professional indemnity insurance. Regardless of whether insurance is held, operators remain liable for any damage or loss caused by their operations, advice, instruction, or negligence.

Safety & Compliance:

Commercial operators are independent PCBU's and must actively coordinate, cooperate and consult with Council regarding health and safety matters, in accordance with the Health and Safety at Work Act 2015

- Safeguarding children certification- we recommend that Commercial operators working with children maintain and implement a documented child safeguarding policy and ensure all relevant workers are safety checked as required under the Children's Act 2014.
- Understanding of pool safety and emergency procedures
- Compliance with Health and Safety at Work Act 2015

Experience and Track Record

Applicants must have a track record of success in delivering swim instruction/coaching or be able to demonstrate sufficient planning that Council is satisfied this criteria is met.

Allocation Process

Commercial operator selection will be conducted through a fair process managed by the Aquatics Manager on a needs basis, balanced against the needs of other pool users.

Occasionally, requests for proposals may be advertised. Requests for proposals will be publicly advertised for a minimum of four weeks. Advertisements may include:

- Councils' website
- Local media
- National swim education networks

Application Requirements

All applicants are required to complete the following:

- Application form

- Evidence of eligibility criteria (Section 5)
- Proposed service delivery plan (target market, class structure, pricing)
- Business plan and financial projections
- Operators must provide a Health and Safety Management Plan such as Hazard and risk assessment, emergency/medical response procedures, incident reporting, supervision and ratios, staff competency/ training qualifications, child protection procedures.
- References

Assessment Criteria

Applications are assessed against the following criteria:

Criteria	Weighting
Qualifications and experience	25%
Service quality and delivery plan	25%
Financial sustainability and pricing	20%
Safety and risk management	15%
Complementarity with CODC services	15%

Maximum Number of Operators

Assessments are made on available pool space and demand. All decision-making is subject to individual facility capacity and competing use of the pool space. Success is not guaranteed on application.

Pool Space Allocation

Available Times

Swim School operation timing is managed in alignment with Ministry of Education Te Tāhuhu o te Mātauranga [School terms and holiday dates](#).

Two lanes must be available to the public at all times. The Aquatics Manager may assign commercial pool space subject to availability.

Lane Allocation

Commercial operators will be allocated 1-2 lanes, as determined by the Aquatics Manager. This may vary based on pool configuration and other pool use.

Booking Process

All commercial operators must book approved times through Council's booking system, that they will be provided access to.

Bookings are confirmed for each school term.

A minimum of four weeks' notice is required by the commercial operator for booking changes.

Changes to allocations

Council reserves the right to:

- Reclaim allocated space for Priority 1-5 users with [3 months] notice
- Modify allocated times if facility capacity changes
- Suspend bookings for facility maintenance or events
- Priority users (1-5) take precedence over commercial operators at all times

Council notes that the nature of pool operations may lead to unplanned disruptions, such as 'Code Brown' requirements to vacate the water. Council will work with all operators to minimise disruptions to operations as much as is possible, alongside Water Space Allocation Guidelines.

Financial terms

Lane Hire Fees

Commercial operators pay lane hire fees as follows:

Standard rate 26/27 FY	\$35 per hour, per lane (plus GST if applicable)
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This rate is reviewed annually as part of Council Fees and Charges.

Payment is made via monthly invoicing.

Elite Athlete Coaching provisions

Separate Pathway for Elite Athletes

Elite athlete coaching is classified as Priority 5 under the Water Space Allocation Guidelines and is managed separately from commercial swim school operations.

Elite Athlete Coaching Access

Elite athletes and their coaches may access pool space for training purposes:

Process:

- Application to Aquatics Manager with evidence of elite status
- Allocation based on Priority 5 classification
- Lane hire fees may apply at concessionary rates
- Not subject to tender process
- Individual arrangement, not commercial operation

Distinction:

Elite athlete coaching is for individual or small group high-performance training, not commercial swim school operations.

Service Standards and Quality

Commercial operators must comply with the following quality standards

Service Delivery	• Deliver services consistent with application/proposal • Maintain high standards of instruction and customer service • Provide accurate information to clients about qualifications and services • Comply with Consumer Guarantees Act and Fair-Trading Act
Facility Use	• Comply with pool rules and bylaws • Follow Council staff instructions regarding facility use • Maintain clean and tidy pool deck areas • Respect other pool users • All operators must receive a site specific induction that includes emergency evacuation procedures, exits and assembly areas
Safety	• Instructor-to-participant ratios must align with recognised industry standards and be appropriate for participant age, swimming ability, support needs, and activity type. Ensure adequate supervision of participants • Follow emergency procedures • Report all incidents, near misses, and accidents to Council staff within 24 hours after becoming aware of the incident. • Operators should have a process for identifying and managing participant medical conditions and emergency contact information
Insurance and Compliance	• Maintain current insurance at all times • Renew qualifications and safety certifications as required • Notify Council of any changes to business structure or key personnel

Council Monitoring

Council may monitor operator performance through:

- Observation of classes/sessions
- Customer feedback and complaints
- Insurance and qualification verification (annual)
- Incident reports
- Council reserves the right to undertake health & safety inspections and review operator activities and documentation
- Facility staff feedback

Customer Complaints

Operator Complaints Process

Commercial operators must:

- Have a documented complaints process for their clients
- Provide complaints process information to all clients
- Maintain records of complaints and resolutions
- Report serious complaints to Council

Complaints to Council

Customers may complain to Council about commercial operators:

- Complaints received by Aquatics Manager
- Operator given opportunity to respond
- Council may investigate serious or repeated complaints
- Serious breaches may result in contract termination
- For further information, see Complaint's Policy.

User Hire Terms

Contract Duration

- Initial term is up to 12 months, at the discretion of the Aquatics Manager
- Option to renew subject to:
 - Satisfactory performance
 - Continued eligibility
 - Council approval/availability of space

User Hire Agreement Variation

User Hire Agreement may be varied by mutual agreement for:

- Changes to allocated times (subject to availability)
- Fee adjustments (as per annual review)

- Minor service delivery changes

Contract Termination

By Council:

Council may terminate contract with 3 months' notice for:

- Policy changes requiring new tender process
- Facility closure or significant operational changes
- Reclaiming space for Priority 1-5 users

Council may terminate contract immediately for:

- Breach of user hire agreement
- Serious safety incidents including but not limited to notifiable event, loss of consciousness.
- Loss of required qualifications
- Fraudulent activity
- Serious or repeated customer complaints

By Operator:

Operator may terminate contract with 4 weeks' notice.

On termination

- Final invoice/refund settled
- No compensation for early termination (unless Council breach)

Relationship with CODC Swim School

Non-Competition Principles

Commercial operators must:

- Not claim affiliation with or endorsement by CODC
- Clearly identify as independent commercial operations
- Not use Council branding or logos without permission
- Not disparage or undermine CODC swim school services
- Solicit customers on CODC premises

Information Sharing

Council may require operators to provide:

- Participant numbers (for monitoring purposes)

- Service offerings and pricing
- Feedback on facility and pool space adequacy

Relevant legislation:

- Children's Act 2014
- Hazardous Substances and New Organisms Act 1996
- Health and Safety at Work Act 2015

Related documents:

- Complaints Policy
- Water Space Allocation Guidelines
- Supervision Policy –Commercial operators always remain responsible for direct supervision and management of their participants. Council lifeguards provide facility-wide surveillance and emergency response but do not replace instructor supervision responsibilities.

Water Space Allocation Guidelines



