Contents

7O.1 Introduction 1

7O.2 General Requirements 3

7O.1 Introduction

This Part does not apply to swimming pools used as recreation facilities and which are defined separately as either a 'recreation facility indoor' or a 'recreation facility outdoor' under Botany Bay Local Environmental Plan 2013.

Note: Swimming Pools are also required to comply with the following legislation:

- *Swimming Pools Act 1992* and the *Swimming Pools Regulations 2008*;
- *Swimming Pools (Amendment) Act 2012*;
- Part 3.9.3 of the Building Code of Australia (BCA);
- Australian Standard 1926.1-2012 Swimming pool safety – Safety barriers for swimming pools
- Australian Standard 1926.2-2007 Swimming pool safety – Location of safety barriers for swimming pools;
- Australian Standard 1926.3–2010 Swimming pool safety - Water recirculation systems; and
- Australian Standard 3000-2007 *(Australian/New Zealand Wiring Rules)* for all electrical installations including underwater lighting.

7O.2 General Requirements

Objectives

O1 To ensure that swimming pools and spas are sited to minimize acoustic and visual amenity impacts on adjoining properties;

O2 To ensure that swimming pools are sited and designed to maximize solar energy and thermal heating whilst being adequately shaded; and

O3 To maintain a level of privacy for swimming pools without compromising the amenity of the surrounding neighbourhood.

Controls

C1 Development must comply with the maximum site coverage requirements of the relevant Parts of the DCP.

Note: Swimming pools are included within 'site coverage' calculations and are not included as 'landscaped area'.

C2 Swimming pools and spas must be located at ground level. Where a site slopes, swimming pools and associated structures (like decks or coping) must not be elevated more than 500mm above existing ground level.

C3 Any structure that is elevated above ground level must be suitably screened by planting, details of which are to be provided on the landscape plan.

C4 A Geotechnical report is required where the site is located in a groundwater exclusion zone.

C5 An acid sulfate soils evaluation is required where the site is located within a potential acid sulfate area. Where acid sulfate soils are found to exist, an Acid Sulfate Soils Management Plan will be required.

C6 A contamination assessment may be required (refer to **Part 3K - Contamination**).

Setbacks

C7 Swimming pools and spa pools are to be located at the rear of properties and not within the front setback.

C8 The following minimum setbacks are required for swimming pools and spas (refer to **Figure 1**):

(i) 1m from side boundaries;
(ii) In cases where a proposed pool adjoins a habitable room of a neighbouring dwelling, a setback greater than 1.5 metres may be required by Council in order to protect the amenity of residents; and
(iii) Setbacks are required to accommodate existing trees including their root systems, as well as trees on adjoining properties.

Landscaping

C9 All existing significant trees are to be retained and the pool sited accordingly (including trees on adjoining properties).

C10 Where a swimming pool is proposed in the vicinity of an existing tree an arborist's report may be required by Council at the development application stage to ensure that the tree can be retained without damage.

Amenity

C11 The lighting of pools and spas must be designed to avoid light spill onto adjoining habitable rooms and the private open space of adjoining dwellings. Low level lighting is to be used.

C12 Equipment associated with a swimming pool or spa must be located in a soundproof enclosure and setback from any adjoining buildings. Details of the soundproof enclosure must be included within the development application plans.

C13 Direct sightlines into neighbouring residential properties must be reduced.

Fencing

C14 All swimming pool safety fences and requirements for spas must comply with the relevant Acts, Regulations and Australian Standards.

Aspect/Heating

C15 Swimming pools are to be orientated to the northern aspect of the site to maintain a sufficient level of solar access or incorporate energy efficient heating systems if the swimming pool is to be heated (e.g. solar heating systems connected to the roof of the dwelling).

C16 Any proposed solar panels to heat the swimming pool/spa must be located so that they do not result in any adverse visual impact on neighbouring properties or the streetscape.

Drainage

C17 All drainage or overflow associated with a swimming pool or spa is to be pipe drained to the nearest sewer main in accordance with the requirements of Sydney Water Corporation.

Note: High-level overflows from the swimming pool shall be gravity fed and connected to Sydney Water's sewer via an approved system. The connection must not directly vent the receiving sewer. Upon completion of the works, certification from a licensed plumber must be submitted to the Principal Certifying Authority to certify that the connection has been made in accordance with Sydney Water's requirements and the current plumbing codes.

C18 The surrounds or concourse of a swimming pool shall have minimum 1% grade towards the pool to prevent surface waters (e.g. from rainfall) overflowing into the adjoining properties. In some instances, additional surface drains may be required.

C19 The pool water level shall be adjusted and regulated so there is no excessive spill over during normal usage.

Water Tanks and Pool Covers

C20 A pool cover must be installed with any new swimming pool or spa to minimize evaporation rates.

C21 A rainwater tank must be installed to ensure that the pool / spa can be filled up without the need to rely on potable water supplies. The tank capacity must comply with **Table 1**.

Table 1 - Water Tank Size

Pool Size	Tank Size
20,000 Litres	1,000 Litre Tank
20,000 – 40,000 Litres	2,000 Litre Tank
> 40,000 Litres	Complies with BASIX