

# The Council of the City of Lithgow

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## LITHGOW CITY COUNCIL

### Lodging Development Applications for Swimming Pools with Council

#### **What are the requirements for the installation of a new swimming pool?**

Written Council approval is required for the installation of in ground, above ground, spa pools (but not spa baths or other bathroom fixtures) and inflatable/wading pools exceeding 300mm in depth. Residents are required to submit a Combined Development Application and Construction Certificate form and obtain approval prior to any works commencing.

#### **Where can I build a swimming Pool?**

All applications for swimming pools will be considered on their merits, having regard for the siting, design and size of the proposed structure.

A swimming pool should be located in the rear yard a minimum distance of one (1) metre from the side/rear boundaries. It is suggested that boundary fencing not be used as part of the fence surrounding the pool as the pool owner has no control over what may happen on the other side. Boundary fencing will not be permitted if it does not comply with Australian Standard 1926.1-2007 Part 1: Safety Barriers for Swimming Pools”.

#### **What about fencing?**

- All new swimming pools are required to be fenced in accordance with Australian Standard 1926.1 -2007 Part 1: Safety barriers for Swimming Pools.
- Walls of buildings may be used to form part of the security fencing subject to inspection and approval of the Building Surveyor.
- Pool fencing must be located immediately around the pool with only structures relating directly to the use of the pool, allowed within the pool area.

- Openings in walls such as windows will not be permitted except where the opening section is covered by an approved security grill fixed such that tools are required for its removal. All subject openings will come under close scrutiny of the Building Surveyor and will be rejected if not of an adequate standard.
- Fences and gates are to be in position prior to the filling of the pool with water.

#### **What about the construction of pools on sloping sites?**

Cut and fill associated with the construction of a new swimming pool should be kept to a minimum, however any cut and fill that may be required as a result of site levels will be assessed on the merits of the Development Application. In this regard Council, when assessing an application where fill has been nominated, will consider the potential loss of amenity to neighbouring properties.

Retaining walls and fencing to swimming pools on sloping or terraced sites are to comply with AS1926.1-2007, and details are to be submitted with Development Application.

#### **Notification**

Adjoining neighbours may be notified in writing of any proposed development where there is a potential or likelihood to impact on the amenity of the surrounding neighbours. Council is required to allow a period of 14 days to receive any written submission by neighbours. If a written submission is received, Councils officer will assess the concerns raised.

### **What information is needed to accompany an application?**

- Standard Combined Development Application and Construction Certificate form, signed by all owners of the site. Please note proposed concrete pools to be constructed within the Mine Subsidence Area are to be approved by the Mine Subsidence Board.
- The prescribed fee.
- BASIX certificate is required for swimming pools (or a pool and spa) with a capacity greater than 40,000 litres. Note BASIX is a web based tool and certificates can be generated from web site [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)
- Three (3) copies of structural engineer's details specific to the proposed site, including plan, section plan, skimmer box and hydrostatic valve detail.  
For an above ground or inflatable pool, it may, in place of an engineer's detail, suffice to submit the manufacturer's detail.
- Three (3) copies of a site plan – to show the position of the proposed pool in relation to the boundaries of the land, the road and existing buildings on the site. The plan should include the position of fencing (existing and proposed), gates and any other measures designed to restrict access to the swimming pool area. The location of the filter plant and any external lighting is to be shown.
- Details/levels of cut and fill and method of retaining cut and filled areas.
- Levels indicating the height of each corner of the pool above the existing ground level must be detailed on the plans. Details of any retaining walls over 600mm in height must also be submitted.
- Details of pool fencing to be erected and compliance with AS1926.1-2007.
- Copies of relevant permits eg Owner Builders permit or Home Owners Warranty Insurance.

### **After my application is determined, how will I be advised?**

You will be advised in writing of the determination of your application. If your application is granted consent then you will be sent a copy of the Development Consent including conditions of Consent and approved plans.

Should your application be refused, a refusal notice will be sent advising you the grounds of refusal.

**For further information on swimming pools contact Council's Regional Services Department on 63549941.**