



SWIMMING POOLS AND SPAS FACTSHEET

WHAT IS A SWIMMING POOL?

A swimming pool is an excavation, structure or vessel that:

- a. Is capable of being filled with water to a depth greater than 300 millimetres, and
- b. Is solely or principally used, or that is designed, manufactured or adapted to be solely used, for the purpose of swimming, wading, paddling and any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purpose of the *Swimming Pools Act 1992*.

NOTE: A swim spa comes under the definition of a swimming pool.

WHAT IS A SPA POOL?

A spa pool includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

WHEN IS COUNCIL APPROVAL REQUIRED FOR SWIMMING POOLS?

All swimming pools and spas that exceeds 300mm in depth and/or with a volume greater than 2000 litres require development approval. This includes portable, blow-up and temporary swimming pools.

Swimming pools may qualify for complying development if applicable to your property.

GENERAL DEVELOPMENT STANDARDS

- The swimming pool must be for private use and associated with a dwelling house (house used for a residence) and located behind the building line of the dwelling house.
- The swimming pool waterline must be set back at least 1 metre from a side or rear boundary.

You can submit a development application for a swimming pool/swim spa through the [NSW Planning Portal](#).

FENCING REQUIREMENTS

All swimming pools and spa must comply with the fencing requirements of:

- Swimming Pools Act 1992
- Swimming Pool Regulations 2018
- National Construction Code
- Australian Standard 1926.1-2012

GENERAL REQUIREMENTS

The owner of the premises on which the swimming pool is situated must ensure that the swimming pool is at all times surrounded by a child-resistant barrier that –

- a. Separates the swimming pool from the residential building situated on the premises and from any place (whether public or private) adjoining the premises, and
- b. That is designed, constructed, installed and maintained in accordance with the standards prescribed by the regulations.

Note: a residential building includes any building associated to the residential dwelling including garages and sheds.

EXEMPTION FOR SPA POOLS

Spa pools must be covered and secured by a lockable child-resistant structure (such as a door, lid, grille or mesh) that –

- a. Is of substantial construction and having no openings greater than 100mm, and
- b. Is securely fastened by a device that is itself of substantial construction.

WARNING NOTICES

A warning notice (CPR chart) must be securely attached within the vicinity of the swimming pool/spa area and must be clearly visible from a distance of 3 metres.



Interpreter Service available, call 131 450 خدمة الترجمة الشفوية متاحة، اتصل على رقم 131 450 可提供傳譯服務，請致電 131 450 Hemm servizz tal-interpretu, cempel 131 450