



# Building Newsflash

Local Governments

Building Certifiers

Building Designers

Architects

## Setbacks to swimming pools

### Purpose

To provide advice on the application of the setback concessions contained in section 42 of the *Standard Building Regulation 1993* (SBR), to swimming pools.

### Background

Section 42 of the SBR provides a concession for a number of structures to be built within the setback clearances contained in sections 36 to 40.

The Department has been advised that some certifiers believe this does not apply to swimming pools.

### Interpretation

The purpose of the provision is to limit the impact of structures constructed close to a boundary, on the amenity of the neighbouring property. Subclause (b) provides that the concessions apply to a structure which is not more than 1 m above natural ground level. This would include a swimming pool that is not more than 1 m high.

Therefore a swimming pool can be approved within the 1.5 m side and rear boundary clearances, and the 6 m road boundary clearance, providing it does not exceed 1 m above natural ground level.

In some local government areas, alternative siting provisions may be contained in a local law that existed prior to 30 April 1998, or in the planning scheme, that over-ride the SBR siting provisions.

### Further information

Please contact Mr John Lamb on (07) 323 71712 should you require further information regarding this matter.