

Balconies, decks, patios, pergolas, terraces

This information sheet explains the requirements for balconies, decks, patios, pergolas, terraces and verandahs which may be erected as exempt development.

Important note

This information sheet is for guidance only and may not contain all the information relevant to every property in NSW. Applicants should refer to the [relevant planning controls](#)¹ before beginning work, or seek professional advice on how the planning controls apply to their property.

The majority of the development that can be done as exempt or complying development in NSW is identified in the State wide exempt and complying development policy (the policy). View the policy at the [Exempt and Complying Development Policy website](#)².

Exempt development is minor building work that does not need planning or building approval. [Information sheet 1.1](#)³ provides more information about exempt development.

Note: As identified in Information Sheets 1.1 and 1.2 exempt and complying development cannot be carried out on certain land.

- 5 m (if located on Zone RU1, RU2, RU3, RU4, RU6 or R5)
- 900mm (for any other zone)
- it must not have an area of more than 25m²
- the total floor area of all such structures on the lot cannot exceed:
 - on a lot larger than 300m²—15% of the ground floor area of the dwelling on the lot
 - on a lot 300m² or less—25m²
- not have an enclosing wall higher than 1.4m
- not have a floor height of more than 1m above the existing ground level
- not be more than 3m at the highest point, above existing ground level
- if it is to be constructed out of metal components it should be low reflective, factory pre-coloured materials
- if it is located on bushfire prone land and is less than 5 m from a dwelling it needs to be constructed of non-combustible material

What development standards apply?

If the property is not subject to one of the exempt development criteria, then the following standards apply.

General requirements

- the development needs to be located behind the building line of any road frontage, and must be located from the lot boundary by at least:

¹ <https://maps.planningportal.nsw.gov.au/Terms>

² <http://www.planning.nsw.gov.au/exemptandcomplying>

³

<http://www.planning.nsw.gov.au/exemptandcomplyingoverview>

Certain requirements of the Building Code of Australia (BCA) may also be relevant, and these types of structures must be structurally adequate and installed in accordance with the manufacturer's specifications, if applicable

If the removal or pruning of a tree or other vegetation is required you must contact your local council before carrying any work

Additional requirements for roofed structures

- If the development is a roofed structure attached to a dwelling it cannot extend above the relevant roof gutter line of the dwelling, and
- if it is connected to a fascia it needs to be connected in accordance with engineer's specifications
- The development needs to be constructed or installed so that any roof water is disposed of into an existing stormwater drainage system, and
- It must not interfere with the functioning of existing drainage fixtures or flow paths.

If all of the above criteria or standards cannot be met, balconies, decks, patios, pergolas, terraces and verandahs can only be installed after approval is obtained from the local council to a development application.

Figure 1 illustrates the area requirements for balconies, decks, patios, pergolas, terraces and verandahs that can be installed as exempt development.

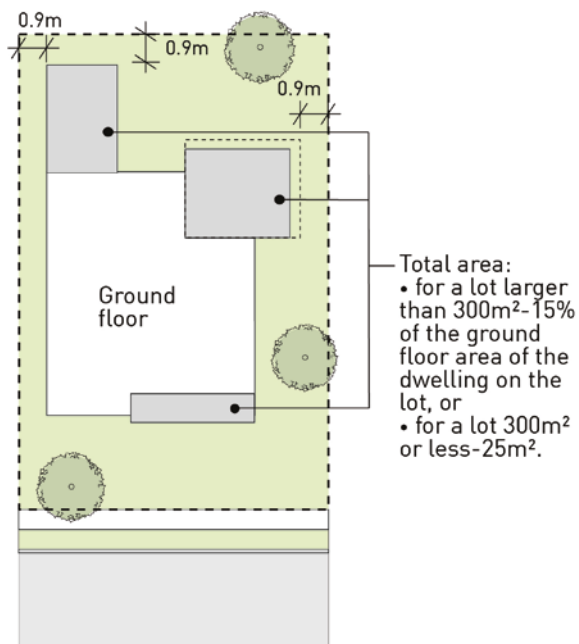


Figure 1

Further Information

For more information visit the [Exempt and Complying Development Policy website](http://www.planning.nsw.gov.au/exemptandcomplying)⁴ or contact the Department's Exempt and Complying Development Team on 1300 305 695 or by [email](mailto:codes@planning.nsw.gov.au)⁵.

Electronic Housing Code

The Electronic Housing Code website helps applicants determine whether the proposed development qualifies as exempt or complying development and the standards that must be met.

Applications for complying development can also be lodged and tracked online for those council areas which are using the Electronic Housing Code. Visit the [Electronic Housing Code website](http://www.electronichousingcode.com.au/)⁶ to find out if it is used by your local council or for more details.

⁴ <http://www.planning.nsw.gov.au/exemptandcomplying>
⁵ codes@planning.nsw.gov.au

⁶ <http://www.electronichousingcode.com.au/>