

Balconies, decks, patios, pergolas, terraces and verandahs



Rules for exempt development

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

Check planning controls first

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

The majority of the development that can be done as exempt or complying development in NSW is identified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the policy). View the policy at the [Exempt and complying development web page](#).

Exempt development is minor building work that does not need planning or building approval. Fact sheet *Understanding exempt development* gives more information about exempt development.

Exempt and complying development cannot be carried out on certain land.



The development standards that apply

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

General requirements

- The development must be located behind the building line of any road frontage and must be located from the lot boundary by at least:
 - 5 m (if located on zone RU1, RU2, RU3, RU4, RU6 or R5)
 - 900 mm (for any other zone).
- It must not have an area of more than 25 m².
- The total floor area of all structures on the lot cannot exceed:
 - On a lot larger than 300 m², 15% of the ground floor area of the dwelling on the lot
 - On a lot 300 m² or less: 25 m².
- Any enclosing wall must be no higher than 1.4 m.
- The floor height must not be more than 1 m above the existing ground level.
- It must not be more than 3 m at the highest point, above existing ground level.
- If it is to be constructed out of metal components the wall should be low reflective, and use factory pre-coloured materials.
- If it is located on bushfire-prone land and is less than 5 m from a dwelling, the wall needs to be constructed of non-combustible material.

You may also need to comply with certain requirements of the Building Code of Australia. These types of structures must be structurally adequate and installed in accordance with the manufacturer's specifications, if applicable.

If it is necessary to remove or prune a tree or other vegetation, you must contact your local council before carrying out 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.
- If it is connected to a fascia, it needs to be connected in accordance with an 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.
- It must not interfere with the functioning of existing drainage fixtures or flow paths.

If the development cannot meet all of the above criteria or standards, you must get approval from the local council for a development application before installing balconies, decks, patios, pergolas, terraces and verandahs.

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

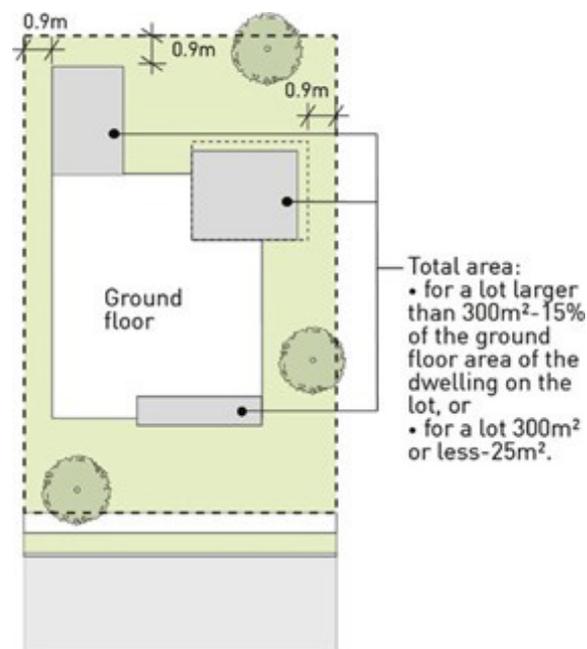


Figure 1
Area requirements.

More information

To find out more, visit the [Exempt and complying development web page](#) or call the department's Codes Team on 02 8289 6600 or email codes@planning.nsw.gov.au.

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