

COMMON EXEMPT DEVELOPMENTS

GARDEN SHEDS, DECKS,
CARPORTS, PERGOLAS

Make sure you have the right
information before you start.



To undertake any work as exempt development under the *State Environmental Planning Policy (Exempt & Complying Development Codes 2008 - the CODES SEPP)* you must meet all of the:

- **General Requirements for exempt development**, and
- **Development Standards** for each type of development

GENERAL REQUIREMENTS

- ☐ Works must be structurally adequate, meet the deemed-to-satisfy provisions of the BCA, & not cause an existing building to contravene the BCA,
- ☐ Be installed in accordance with manufacturer's specifications
- ☐ Works must not involve the removal or pruning of a tree or other vegetation that requires a permit or approval
- ☐ Works must Works relating to an existing Class 1b or 2-9 building are exempt only if the building has a current fire safety certificate or fire safety statement, or if no fire safety measures are currently implemented, required or proposed.
- ☐ Works must not be on land that is;
 - ☐ A declared area of outstanding biodiversity value, or
 - ☐ a critical habitat, or
 - ☐ part of a wilderness area,
 - ☐ on which there is, an item that is listed on the State Heritage Register or that is subject to an interim heritage order

(There are some exemptions to the above. Please contact Council if you have any queries)

CUBBY HOUSES, FERNERIES, GARDEN SHEDS, GAZEBOS & GREENHOUSES

- ☐ Not be on or in a Heritage Item, draft heritage item, or in an environmentally sensitive area
- ☐ Have a floor area not more than;
 - 50m² in RU1, RU2, RU3, RU4, RU6 or R5
 - 20m² in any other zone
- ☐ If not in RU1, RU2, RU3, RU4, RU6 be behind the building line of any road frontage
- ☐ Not be a shipping container
- ☐ Not be more than 3m high (above existing ground level)
- ☐ From the boundary be located
 - 5m in RU1, RU2, RU4, RU3, RU4, RU6 and R5
 - 900mm in any other zone
- ☐ If comprised of metal components—is low reflective, factory pre coloured if in a residential zone
- ☐ Roof water disposed without causing a nuisance to adjoining owners
- ☐ Be a class 10 building and not habitable
- ☐ Be located 1m from any registered easement
- ☐ If adjacent another building not interfere with the entry, exit or fire measures associated with the building
- ☐ If in a bush fire area and is less than 5m from a dwelling—be constructed on non combustible materials
- ☐ If located on or in a heritage item or draft heritage item - be located in the rear yard
- ☐ Maximum 2 developments per lot

CARPORTS

- ☐ Not on or in a Heritage Item or draft heritage item
- ☐ Not result a building classified as a 7a under the BCA
- ☐ Not have a floor area of more than;
 - For a lot >300m² in a Rural zone or R5 - 50m²
 - For a lot >300m² in a zone other than a Rural zone or R5 - 25m²
 - For a lot <300m² - 20m²
- ☐ Not be more than 3m high (above existing ground level) or if attached to a single storey dwelling, not be higher than the roof gutter line
- ☐ Be located at least 1m behind the building of any road frontage
- ☐ From the boundary be located:
 - 5m in RU1, RU2, RU4, RU3, RU4, RU6 and R5
 - 900mm in any other zone
- ☐ The roof must be 500mm from the boundary
- ☐ If comprised of metal components - is low reflective, factory pre coloured materials
- ☐ Not involve the construction of a new driveway (unless consent obtained)
- ☐ If connected to a fascia - be connected according to engineer specifications
- ☐ Stormwater will be connected to existing drainage system
- ☐ Does not reduce vehicle access on or from the lot
- ☐ If in a bush fire area and is less than 5m from a dwelling - be constructed of non combustible materials
- ☐ If in a Heritage Conservation Area or draft HCA be in the rear yard
- ☐ There must not be more than 1 development per lot (if there is a dwelling) or per each separate occupation of the premises.

Disclaimer

Any person using this document must do so on the basis that, not every scenario and issue can be addressed, and discussion with relevant staff at Council should be undertaken. This document is subject to change without notice.

BALCONIES, DECKS, PERGOLAS, PATIOS, TERRACES & VERANDAHS

- ☐ Not on or in a Heritage Item or draft heritage item
- ☐ Have a floor area not more than 25m²
- ☐ Not cause the total floor area of all such structures on the lot to be more than:
 - For a lot >300m² - 15% of the ground floor area of the dwelling on the lot
 - For a lot <300m² - 25m²
- ☐ Not have an enclosing wall higher than 1.4m
- ☐ Be located behind the building of any road frontage
- ☐ From the boundary be located:
 - 5m in RU1, RU2, RU4, RU3, RU4, RU6 and R5
 - 900mm in any other zone
- ☐ If comprised of metal components - is low reflective, factory pre coloured
- ☐ Not have a floor height >1m above existing ground level
- ☐ Not extend above the roof gutter line if roofed and attached to the dwelling
- ☐ Not be more than 3m high (above existing ground level)
- ☐ If connected to a fascia - be connected according to engineer specifications
- ☐ Stormwater will be connected to existing drainage system
- ☐ Will not interfere with existing drainage fixtures or flow paths
- ☐ If in a bush fire area and is less than 5m from a dwelling - be constructed on non combustible materials.

Need help?

If you have any further questions, please contact Council's Planning, Building and Compliance team on 1300 459 689 or mail@cgrc.nsw.gov.au



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