

BEFORE YOU LODGE

Decks, pergolas and patios

Outdoor living structures

Decks, pergolas, patios and verandahs can be exempt when they meet every standard. Anything larger, higher or closer to a boundary must be approved instead, by complying development certificate or by development application and construction certificate, through the NSW Planning Portal. Use this list to gather what you need and tick items off.

Needed for almost every application

- ☐ Property title confirming the registered owner and the lot details.
- ☐ Landowner consent in writing if your builder lodges the application.
- ☐ Section 10.7 certificate from council to see which complying codes may be used.
- ☐ Survey or site plan showing boundaries, the house and ground levels; certifiers normally ask for one.
- ☐ Drawings of the deck or pergola with plans, elevations, a section and setbacks.
- ☐ Structural design from an engineer or the kit supplier, covering footings, bearers and connections.
- ☐ Cost of works estimate for the structure, with GST included.
- ☐ Long service levy, charged at 0.25% of cost including GST, on any deck or patio job worth \$250,000 or above.

Deck, pergola and patio details

Exempt structures must meet every standard; anything that falls short goes to a CDC or DA.

- ☐ Deck floor level measured from existing ground; anything over 1 m rules out exempt development.
- ☐ Area of each structure, as exempt decks and pergolas are capped at 25 m² each.
- ☐ Combined area of all these structures, which on lots over 300 m² must stay within 15% of the house's ground floor area.
- ☐ Overall height capped at 3 m, and kept under the gutter line when roofed and attached to the house.
- ☐ Boundary setbacks: 900 mm minimum generally, rising to 5 m in R5 and in RU1 to RU4 and RU6.
- ☐ Fascia connection detail specified by an engineer, if the roof ties into the house.
- ☐ Site layout confirming the structure is set back behind the building line.
- ☐ Height of any enclosing walls, kept to 1.4 m or less and shown on the elevations.
- ☐ Low-reflective finish for any metal roofing or framing, noted on the specification.
- ☐ Balustrade details for raised decks, showing height, spacing and fixing.

Only if it applies to your lot

- ☐ Non-combustible construction on bush fire prone land for any structure closer than 5 m to the home.
- ☐ BAL certificate for a CDC on bush fire prone land, from council or a consultant.
- ☐ Heritage check, since exempt work is not allowed on State Heritage Register items.

- ☐ Easement and sewer details where posts or footings land near a sewer line.
- ☐ Small lot rules if your lot is 300 m² or less, where the combined area is capped at 25 m².

Council fees, bonds and authority approvals

Amounts and triggers differ from council to council, so check the current figures with your council or certifier.

- ☐ Local infrastructure contributions (s 7.11 or s 7.12) under a plan; pay council before CDC work starts, and usually before a CC.
- ☐ DA holders: the approved consent and plans, plus evidence that conditions to be met before the CC are done.
- ☐ Council's small fixed fee for registering the issued CDC or CC; ask whether your certifier's quote covers it.
- ☐ Building plan approval from Sydney Water through Tap in, or from Hunter Water in its area, before work starts.

After approval and before work starts

- ☐ Owner's appointment of a principal certifier, made on the Planning Portal before work begins.
- ☐ Written contract over \$5,000 and HBCF cover above \$20,000, or an owner-builder permit for work over \$10,000.
- ☐ Commencement notice to council a minimum of 2 days before posts or footings go in.
- ☐ Neighbour notice for a CDC, given 7 days before work in metropolitan areas or 2 days in regional areas.
- ☐ Footing and frame inspections booked with the principal certifier before anything is covered.

A small change to deck height or size can move a project from exempt to complying. Send CertifiBuild a sketch with dimensions for a plan assessment, and we will say which pathway applies before you commit to materials.