



FACT SHEET – BALCONIES, DECKS, PATIOS, PERGOLAS, TERRACES & VERANDAHS

General Requirements

For residential-allied development such as the construction of balconies, decks, patios, pergolas, terraces and verandahs, the NSW Planning System adopts three primary approval paths subject to certain pre-determined criteria being met, as follows:

Exempt Development: where no approvals are required by Council;

Complying Development: essentially a 'fast track' system for low-impact, small-scale types of development. Approval can generally be provided in 7-10 days by Council or an accredited private building certifier; and,

Local Development: applies to developments that don't fit into the above two categories which require a more detailed assessment, and on some occasions, notification to neighbours.

How do I know what approval path applies to my development?

Council has developed a series of Fact Sheets to assist you in determining what approval path applies to your development. Establishing what particular category of approval depends largely on the requirements of the overarching legislation (which applies state-wide) known as State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the 'Codes SEPP'). Under the Codes SEPP, a range of site-specific issues require consideration including, but not limited to:

- The zoning of the land;
- The size of the property;
- Distances to boundaries;
- The width of the property at the building line;
- Whether the land is flood prone, bush fire prone or has a heritage item on it;
- Any easements located on the land; and
- The existing siting, size and coverage of existing structures on the land.

How do I find out more about these issues?

Much of the required information is contained in a section 10.7 Planning Certificate—application forms are available from Council's website www.lachlan.nsw.gov.au. Alternatively, you can make an appointment with one of Council's qualified and experienced staff members to discuss your project, or, an accredited private certifier.

Important: it is essential that prior to making an appointment with Council staff, you conduct some research on your project in addition to completing the self-assessment checklist located overleaf.

Disclaimer: This Fact Sheet provides a summary of the major issues concerning balconies, decks, patios, pergolas, terraces and verandahs. Any person using this Fact Sheet must do so on the basis that not every scenario and issue can be addressed and discussion with Council's staff is encouraged. This document is subject to change without notice.





Exempt (no approval required)	Yes	No	Complying	Yes	No
Please use checklist for balconies, decks, patios, pergolas, terraces and verandahs					
Is the development for domestic purposes?			Is your lot area greater than 300m ² ?		
Does the development have an area of no more than 25m ² ?			Is the erection of new ancillary development, or alterations and additions to existing ancillary development, ancillary to a dwelling house?		
If your lot is larger than 300m ² , is the sum of the floor areas for all such structures on the lot no more than 15% of the ground floor area of the dwelling? OR If your lot size is smaller than 300m ² , is the sum of the floor areas for all such structures on the lot no more than 25m ² ?			Does your allotment have a width, when measured at the building line, of greater than 10m?		
Does your development preclude the enclosure by walls higher than 1.4m?			For further Information, please visit: www.planning.nsw.gov.au/exemptandcomplying		
Is your development located behind the building line of any road frontage?			Notes		
Is your development located in the RU5 zone and at least 900mm from each lot boundary?				
If your development is predominantly comprised of metal components, is it constructed of low-reflective, factory pre-coloured materials?				
Does your development have a floor height of no more than 1m above the existing ground level?				
If the structure is roofed, is it below the roof gutter line of the dwelling?				
Is your development no higher than 3m at its highest point above the existing ground level?				
If your development is connected to a fascia, is it in accordance with a professional engineer's specifications?				
Will your development be constructed so that any roof water is disposed of into an existing storm water drainage system?				
Does your development not interfere with the functioning of existing drainage fixtures or flow paths?				



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If your development is being constructed on bush fire prone land and is less than 5m from a dwelling, is it constructed of non-combustible materials?					
If your development is being constructed in a heritage conservation area or a draft heritage conservation area, is it located behind the building line of any road frontage?					

The Code SEPP is under continuous review and the most current version of the SEPP takes precedence over the fact sheets should any discrepancies be identified.

