

where does the Code apply?

The complying development code for new houses generally only applies in residential zones, while for alterations and additions to existing dwellings and ancillary development it applies in both residential and rural zones.

There are some areas where the Code cannot be used, including some environmentally-sensitive and bush fire prone areas as well as heritage conservation areas or heritage items.

As well, the NSW Government will be considering submissions from local councils for potential local exclusions and variations to the Code, as well as updating the Code over time.

covers **single** and **double-storey** dwellings

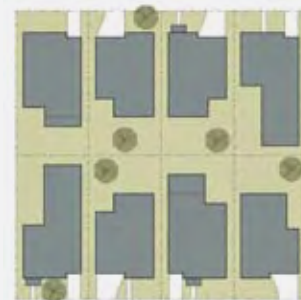


character of local neighbourhoods preserved

Home owners are often proud of their street or neighbourhood's special characteristics, which can be heritage, geographical or culturally-based.

The Code, incorporating specific exemptions and local variations, ensures that local character will be protected.

Four lot sizes have been created under the Code, with varying criteria, to help guide the protection of special neighbourhood characters.



Lots 450m² up to 600m²



Lots 900m² up to 1500m²



Lots 600m² up to 900m²



Lots 1500m² and above

key considerations

when planning a new house or renovation:

Size

While respecting privacy controls, a new house should complement the overall character of its street and general neighbourhood.

Neighbours

A new house should be an adequate distance from its neighbours to avoid the street feeling overcrowded.

Height

A new house should be an appropriate height and make minimal impact on its close neighbours and street.

Landscaping

Adequate landscaping is an important contributor to complementing the character of the street.

Car Parking

A new house's presentation to the street should be dominant, while the impact of a garage should be minimised.

find out more

Please contact
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www.planning.nsw.gov.au/housingcode

NEWNSW HOUSING CODE



Effective 27 February 2009

www.planning.nsw.gov.au/housingcode

introduction to the Code

The NSW Housing Code comes into effect on 27 February 2009. It simplifies the planning process for new houses and alterations and additions to existing homes.

It allows general home developments to be approved in 10 days or less and is an alternative to the traditional, development application (DA) process. At the same time, it preserves local character and protects neighbours' rights.

The Code is based on existing council codes and will be kept under regular review.

Cost savings averaging \$6,500 in the metropolitan area and \$2,500 in regional areas are expected in house construction as a result of the Code, due to faster approvals and reduced paperwork.

new home approvals in 10 days or less

The Code outlines types of development that can proceed as either **complying** or **exempt development**.

Complying development types include new houses, swimming pools and alterations and extensions, on lots 450 square metres and greater.

If your proposed development meets the Code's standards, then it will be approved by an accredited certifier or a council, within 10 days.

The Code also specifies 40 types of minor development, such as garden sheds, which can proceed as exempt development. Exempt development does not require planning or construction approval but is subject to other restrictions.

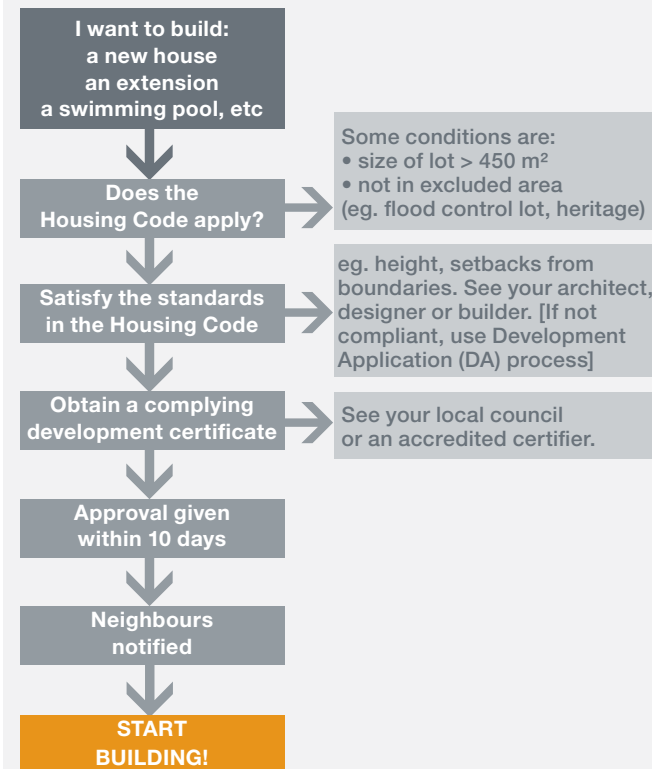
what is complying development?

The Code outlines how developments including detached single and two-storey dwellings, home extensions and other ancillary development, such as swimming pools, can proceed as complying development.

Proposals which satisfy the Code will receive approval from an accredited certifier within 10 days.

Complying development is a quick, simple alternative to the DA process. Under the DA process each application is subject to a 'merit-based' assessment. Under the Housing Code, any complying development proposal which satisfies the standards in the Code must be approved.

STEPS TO COMPLYING



what is exempt development?

The NSW Housing Code specifies 40 types of minor developments that can proceed as exempt development.

Exempt development typically covers small-scale structures associated with a dwelling such as:

- garden sheds and carports
- balconies, decks and verandahs
- pergolas and fences
- rainwater tanks
- fixed barbecues

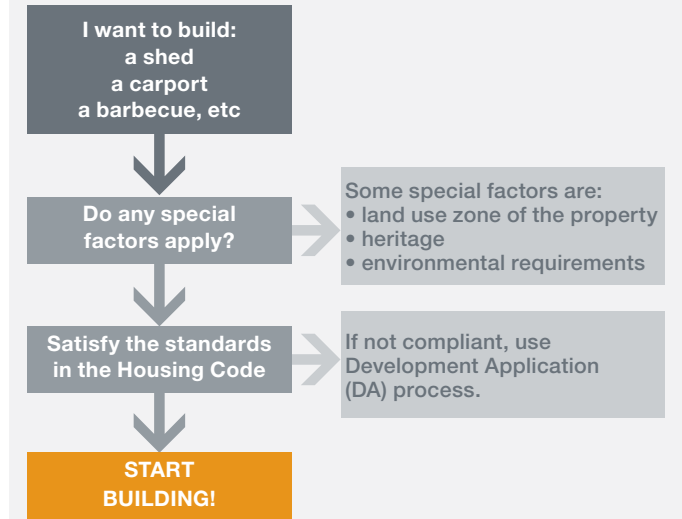
Exempt development means that, subject to satisfying pre-specified standards, there is no need for planning or construction approval to be obtained.

However, for some exempt development types, approval may be required under other legislation, such as the Roads Act. Furthermore, other factors, such as the land-use zone in which your property is located and heritage and environmental considerations, may affect what can proceed as exempt development.

While these developments may be considered relatively minor, if not properly controlled they do have the potential to impact on neighbours or streetscapes. The standards within the NSW Housing Code ensure these developments are limited by size and location to prevent adverse impacts to neighbouring properties.

If the exempt development section of the NSW Housing Code covers the same development type listed in a council exempt development code, then the NSW Housing Code prevails and homeowners must use this code.

STEPS TO EXEMPTION



RELATIONSHIP WITH EXISTING COUNCIL CODES

What if the proposed development is covered by both a local council's complying development code and the NSW Housing Code (eg. a two-storey house)?

During a transition period of 12 months from 27 February 2009, homeowners can progress their proposal using either process. However **from 27 February 2010, the Housing Code only will apply.**

During the transition period, the two processes cannot be 'mixed and matched'. Applicants must choose and follow one code or the other. The application for a complying development certificate asks the applicant which code will be used.

on lots 450 square metres and over

NOTE: This guide does not constitute legal advice. Users should rely on the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, (which is the legal instrument) and the NSW Housing Code.