



## Decks

If you want to build or make changes to a deck, veranda, porch, landing, stairs or ramp this sheet provides information on some of the regulations you need to consider.

Under legislation some smaller outdoor structures, called Class 10 structures, can be exempt from needing development approval or building approval if they meet certain provisions of the Planning and Development Regulation 2008 or Building (General) Regulation 2008, respectively.

### Exemptions from development approval

A deck, veranda, porch, landing, stairs or ramp may be exempt from development approval if it meets certain criteria including:

- it has no roof
- the finished floor level, for any part between the front boundary and the building line, or any part within 1.5m of a side or rear boundary, is not more than 0.4m above natural ground level (in any other case, it is not more than 1m above finished ground level)
- no balustrade on any part that is between a front boundary and a building line
- if any part is behind a building line, the balustrade height for that part is not more than 1.2m above the finished floor level for the deck
- if any part is within 1.5m of a side or rear boundary;
  - it is the only class 10 building or structure (other than the boundary fence) that has any part of it within 1.5m of the boundary or the second exempt building or structure within the boundary clearance area exemption applies
  - it complies with relevant general exemption criteria
- it is not part of another development that requires approval (for example, building a house and deck at the same time means the deck needs approval if the house needs approval)
- it complies with relevant general exemption criteria under the Planning and Development Regulation 2008, Schedule 1, Section 1.10. For information on the general exemption criteria see ESDD's website at [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

### Exemptions from building approval

The deck does not need building approval if it complies with relevant provisions of the Building (General) Regulation 2008, Schedule 1. In summary, the development is exempt provided that:

- it has no walls
- it is not more than 3m above ground
- the floor level is not more than 1m above ground
- the frame does not have unsupported span (including any cantilever) more than 4m.

Also see [www.legislation.act.gov.au/sl/2008-3/](http://www.legislation.act.gov.au/sl/2008-3/) for relevant provisions relating to structures, fires and health.

### Non-compliant development proposals

If your proposed development does not comply with the above exemption criteria you may need to lodge a development application before you can begin building. This may require public notification by ACTPLA, which occurs after lodging an application.

### Information in this fact sheet was accurate at the time of publication.

*Please note: The new Environment and Sustainable Development Directorate (ESDD) unites ACTPLA (ACT Planning and Land Authority) with environmental policy and protection, sustainability policy, the Government architect, heritage, transport planning and nature conservation.*

*The planning development provisions are taken from the Planning and Development Regulation 2008 and the Building (General) Regulation 2008. ESDD recommends you read these documents, which are accessible on our website, and understand that planning exemption does not affect the operation of other territory laws.*

It is advisable to discuss any inquiry with the ESDD Customer Service Centre on 6207 1923 as requirements may have changed.

Website: [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

Email: [actpla.customer.services@act.gov.au](mailto:actpla.customer.services@act.gov.au)