



## Unroofed pergola or arbors

If you want to build or make changes to an unroofed pergola or arbor this sheet provides information on some of the regulations you need to consider.

Unroofed pergolas and arbors are Class 10a structures. Under legislation some smaller outdoor structures, called Class 10a 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

The unroofed pergola or arbor may be exempt from development approval if it meets certain criteria including:

- it is not an external deck or external verandah
- it has no roof or walls
- it is not more than 3m above natural ground level – except if sub section (2) applies, it is not more than 4m
- if it has a floor, the finished floor level is not more than
  - 0.4m above natural ground level for any part within 1.5m of a side boundary or rear boundary of the block
  - 1m above finished ground level in any other case
- it is behind the building line
- if any part is within 1.5m of a side boundary or rear boundary of the block it is the only class 10 building or structure (other than a boundary fence) that has any part of it that is within 1.5m of the boundary or the 2nd exempt building or structure within boundary clearance area exemption applies
- 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

An unroofed pergola or arbor 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:

- 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 an unsupported span (including any cantilever) of 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 will need to lodge a development application. For more information on lodging a development application please visit [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

### 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)

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