

Driveways, hardstands, pathways and paving

This information sheet explains how driveways and hardstands, pathways and paving can be installed as exempt development.

Important note

This information sheet is for guidance only and may not contain all the information relevant to every property in NSW. Applicants should refer to the [relevant planning controls](#)¹ before beginning work, or seek professional advice on how the planning controls apply to their property.

The majority of the development that can be done as exempt or complying development in NSW is identified in the State wide exempt and complying development policy (the policy). View the policy at the [Exempt and Complying Development Policy website](#)².

Exempt development is minor building work that does not need planning or building approval. [Information sheet 1.1](#)³ provides more information about exempt development.

Note: As identified in Information Sheets 1.1 and 1.2 exempt and complying development cannot be carried out on certain land.

- 25% if the lot width is 18m or less
- 50% if the lot width is more than 18m
- The development needs to be constructed or installed so that any surface water or runoff is disposed of by a drainage system that is connected to the existing stormwater drainage system.
- If constructed or installed in a residential zone or rural zone the total area of all driveway or handstand areas cannot exceed:
 - 15% of the area of the lot; or
 - 150m²

whichever is the lesser.

- If the development is ancillary to a dwelling and in a residential or RU5 zone, associated cut or fill cannot exceed 600mm below or above existing ground level.
- If the development is not ancillary to a dwelling or not in a residential or RU5 zone, associated cut or fill cannot exceed 1m below or above existing ground level.
- Certain requirements of the Building Code of Australia (BCA) may be relevant, and the driveways and hardstands, pathways and paving must be structurally adequate and installed in accordance with the manufacturer's specifications, if applicable.
- If it is for a driveway or hardstand it needs to be constructed in accordance with AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* or AS:2890.2—2002, *Parking facilities, Part 2: Off-street commercial vehicle facilities*.
- If the removal or pruning of a tree or other vegetation is required you must contact your local council before carrying out any work.

What development standards apply?

If the property is not subject to one of the exempt development criteria, then the following standards apply.

General requirements

- If constructed or installed in a residential zone, the landscaped area forward of the building line needs to be at least:

¹ <https://maps.planningportal.nsw.gov.au/Terms>

² <http://www.planning.nsw.gov.au/exemptandcomplying>

³

<http://www.planning.nsw.gov.au/exemptandcomplyingoverview>

Specific requirements for hardstand spaces

The hardstand space needs to be at least 2.6m wide and 5.4m long, and must:

- not have an area that exceeds 20m².
- If the development is ancillary to a dwelling it needs to be located:
 - 1m behind the building line of any road frontage (excluding laneways)
 - Be at least 900mm from side and rear boundaries.
 - Not be located on any required landscaped area.

Specific requirements for driveways

- The driveway must not be wider than the associated open hardstand space, carport, or garage.
- The driveway needs to be constructed in accordance with relevant road authority's policies and specifications on vehicle and driveway crossings, and
- needs written consent from the relevant roads authority for the building of any kerb, crossover or driveway (if required under section 138 of the *Roads Act 1993*).

Additional requirements for pathways and paving

- Any areas of pathways and paving must not reduce any required landscaped area along a boundary with a road or an adjoining lot where a dwelling is located.

If all of the above criteria or standards cannot be met, driveways and hardstands, pathways and paving can only be installed after development application approval is obtained from the local council.

Figure 1 illustrates the area requirements of driveways and hardstands, pathways and paving that can be installed as exempt development.

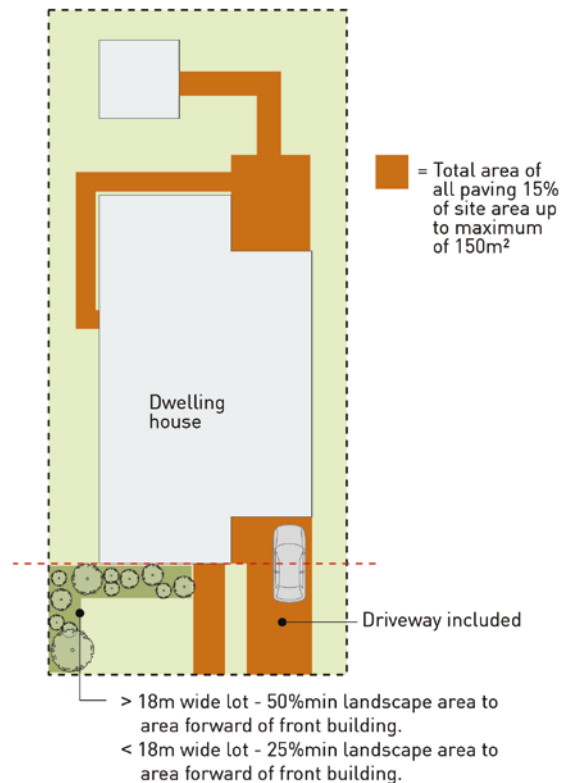


Figure 1

Further Information

For more information visit the [Exempt and Complying Development Policy website](#)⁴ or contact the Department's Exempt and Complying Development Team on 1300 305 695 or by [email](#)⁵.

Electronic Housing Code

The Electronic Housing Code website helps applicants determine whether the proposed development qualifies as exempt or complying development and the standards that must be met.

Applications for complying development can also be lodged and tracked online for those council areas which are using the Electronic Housing Code. Visit the [Electronic Housing Code website](#)⁶ to find out if it is used by your local council or for more details.

⁴ <http://www.planning.nsw.gov.au/exemptandcomplying>

⁵ codes@planning.nsw.gov.au

⁶ <http://www.electronichousingcode.com.au/>