

Driveways, hardstands, pathways and paving

Rules for exempt development



This fact sheet explains how you can install driveways and hardstands, pathways and paving as exempt development.

Check planning controls first

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

The majority of the development that can be done as exempt or complying development in NSW is identified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the policy). View the policy at the [Exempt and complying development policy web page](#).

Exempt development is minor building work that does not need planning or building approval. Fact sheet *Understanding exempt development* provides more information about exempt development.

Complying development is a joint planning and construction approval that can be granted by council or a private certifier. Fact sheet [Exempt and Complying Development](#) gives more information about complying development.

Exempt and complying development cannot be carried out on certain land.



Photo credit: NSW Department of Planning and Environment / Adam Hollingworth

The development standards that 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:

- 25% if the lot width is 18 m or less
- 50% if the lot width is more than 18 m.
- 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 spaces, pathways and paved areas on the lot cannot exceed:
 - 15% of the area of the lot, or
 - 150 m², 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 600 mm 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 1 m 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—2018, *Parking facilities, Part 2: Off-street commercial vehicle facilities*.
- If you need to remove or prune a tree or other vegetation, you must contact your local council before carrying out any work.

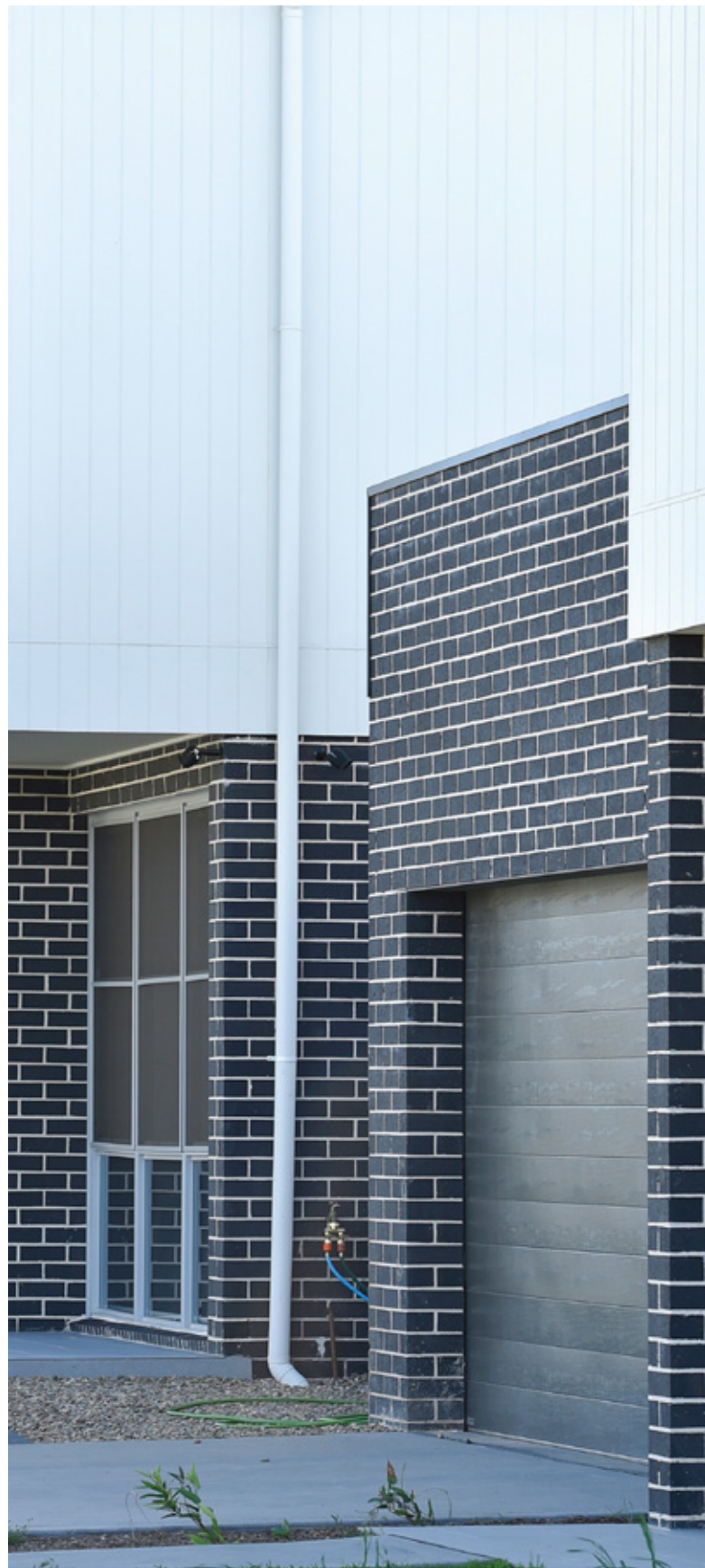


Photo credit: NSW Department of Planning and Environment / Adam Hollingworth

Specific requirements for hardstand spaces

The hardstand space needs to be at least 2.6 m wide and 5.4 m long. It must not have an area that exceeds 20 m².

If the development is ancillary to a dwelling, it needs to be located:

- 1 m behind the building line of any road frontage (excluding laneways)
- at least 900 mm from side and rear boundaries
- not on any required landscaped area.

Specific requirements for driveways

- The driveway must not be wider than the associated open handstand 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.
- You need 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 you cannot meet all of the above criteria or standards, driveways and hardstands, pathways and paving can only be installed after the relevant local council approves your development application.

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

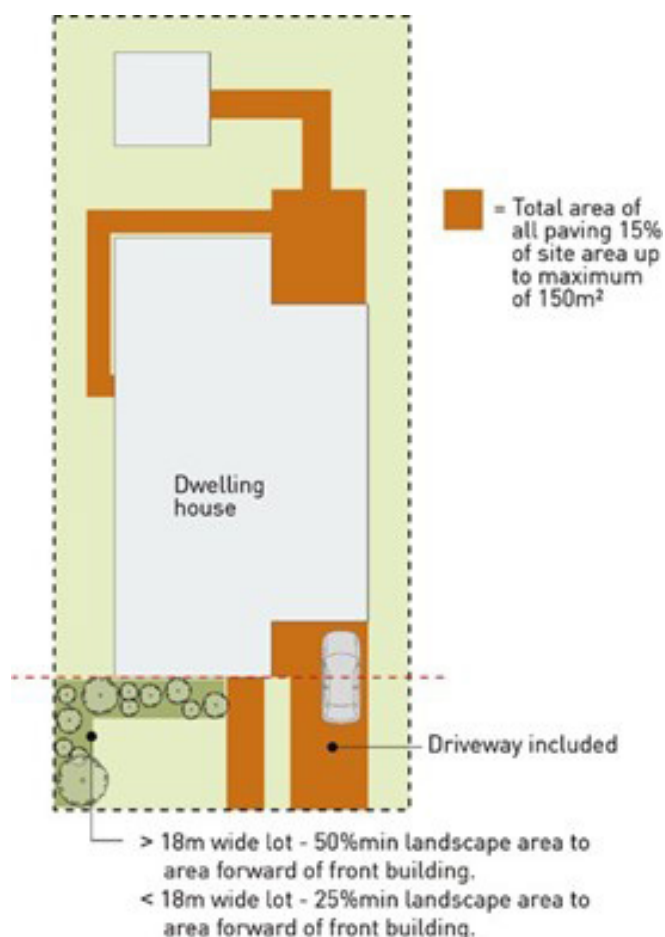


Figure 1
Requirements for driveways, hardstands, pathways and paving.

More information

To find out more, visit the [Exempt and complying development web page](#) or call the department's Codes Team on 02 8289 6600 or email codes@planning.nsw.gov.au.

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