PATIO Exempt Development Flowchart
SEPP - Part 2 Exempt Development Codes, Division 1, Subdivision 6

PATIO

2.11 (a)
New or
2.11 (b)
Replacement?

2.11(b) Replacement

2.11 (b)
Is existing patio
height more than
1m from ground
level (existing)?

YES

NO

2.11(a) New

2.12 1(a)
Will planned patio use
equivalent or improved quality
building materials ?

NO

YES

2.12 1(b)
Will planned patio be same
height and size as
existing patio ?

NO

YES

NOT EXEMPT
SEPP - Part 2, Div 1,
SubDiv 6,
2.12 (2) Specified
Development not met

2.11 (a)
Is address
a Heritage item?

YES

NO

2.11 (b)
Is address in Foreshore area?

YES

NO

NOT EXEMPT
SEPP - Part 2, Div 1,
SubDiv 6,
2.11 Specified
Development not met

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                    ┌──────────────────────────────────────────────┐
  ┌─────────┐       │                                              │
  │ 2.12 1(b)│      YES                                             │
  │ Is planned area of │───────────────────────────────────────────┘
  │ patio >25m^2 ? │
  └─────────┘
       │
       NO
       │
       ▼
  ┌─────────┐
  │ 2.12 1(c)│     YES      ┌──────────────────┐        * such structures include
  │ Land size >300 m^2 │──────────│ 2.12 1(c)        │ YES    Balconies, decks, patios,
  └─────────┘                │ Will total floor area │──────  pergolas, terraces and
       │                     │ of existing such structures* and          verandahs
       NO                    │ planned patio exceed │
       │                     │ 15% of land area?  │
       ▼                     └──────────────────┘
  ┌─────────┐
  │ 2.12 1(c)│
  │ Will total floor area │  YES
  │ of existing such structures* and │──────────────────────────────►
  │ planned patio exceed │
  │ 25m^2? │
  └─────────┘
       │
       NO
       │
       ▼
  ┌─────────┐
  │ 2.12 1(d)│   YES
  │ Will planed patio have │──────────────────────────────────────►
  │ any walls > 1.4m? │
  └─────────┘
       │
       NO
       │
       ▼
  ┌─────────┐
  │ 2.12 1(e)(ii)│  NO
  │ Is location of planned │─────────────────────────────────────►
  │ patio behind existing │
  │ building line of a │
  │ road frontage? │
  └─────────┘
       │
       YES
       │
       ▼
  ┌─────────┐
  │ 2.12 1(f)(II)│  YES
  │ Is planned location of │────────────────────────────────────►
  │ patio <900mm from │
  │ any site boundary? │
  └─────────┘
       │
       NO
       │
       ▼
  ┌─────────┐         YES     ┌──────────────────┐
  │ 2.12 1(h)│─────────────────│ 2.12 1(h)        │ NO
  │ Is planned patio to be constructed │  │ Are those metal components non- │──────►
  │ using metal components? │       │ reflective or factory coloured? │
  └─────────┘                └──────────────────┘
       │                            │
       NO                          YES
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* such structures include Balconies, decks, patios, pergolas, terraces and verandahs

2.12 1(b) Is planned area of patio >25m^2 ?

2.12 1(c) Land size >300 m^2

2.12 1(c) Will total floor area of existing such structures* and planned patio exceed 15% of land area?

2.12 1(c) Will total floor area of existing such structures* and planned patio exceed 25m^2?

2.12 1(d) Will planed patio have any walls > 1.4m?

2.12 1(e)(ii) Is location of planned patio behind existing building line of a road frontage?

2.12 1(f)(II) Is planned location of patio <900mm from any site boundary?

2.12 1(h) Is planned patio to be constructed using metal components?

2.12 1(h) Are those metal components non-reflective or factory coloured?

2.12 1(i)
Is planned patio to have flooring higher than 1m from existing ground level?

YES

NO

2.12 1(i1)
Is planned patio to have a roof?

YES

NO

2.12 1(i1)
Is planned roof overhang patio on any side by more than 600mm?

YES

NO

2.12 1(j)
Is planned roof to be attached to existing dwelling?

NO

YES

2.12 1(j)
Will planned roof extend above roof gutter line of dwelling?

YES

NO

2.12 1(j1)
Will planned roof be higher than 3m above existing ground level at any point?

YES

NO

2.12 1(k)
Is planned patio to be connected to facia of existing dwelling at any point?

YES

2.12 1(k)
Will it be connected in accordance with a professional engineer's specificationst?

NO

YES

NO

2.12 1(l)
Is planned patio to be constructed or installed so that any roofwater is disposed of into an existing stormwater drainage system?

NO →

YES ↓

2.12 1(m)
Will planned patio interfere with the functioning of existing drainage fixtures or flow paths?

YES →

NO

2.12 1(n)
Is address located on bush fire prone land?

NO

2.12 1(n)
Is planned patio to be located less than 5m from a dwelling?

YES →

NO

NOT EXEMPT
SEPP - Part 2, Div 1, SubDiv 6,
2.12 (1) Development Standards not met

EXEMPT DEVELOPMENT
SEPP - Part 2, Div 1, SubDiv 6,
2.12 and 2.11 Standards met

Subject to conditions listed in SEPP - Division 2 Exempt and complying development