



NEW SOUTH WALES

NEWS RELEASE

The Hon. Kristina Keneally MP

Member for Heffron

Minister for Planning

Minister for Redfern Waterloo

Wednesday 25 March, 2009

GOVERNMENT REMOVES RED TAPE FOR “DIY” HOME IMPROVEMENTS

No one ever claimed “Do It Yourself” home improvements and renovations are easy, but at least getting planning approval is now faster and simpler.

The NSW Government has removed the need for homeowners to get planning approval for 40 types of home improvement, such as installing a clothes line, air conditioning unit or pergola.

Planning Minister, Kristina Keneally, today told Parliament that the changes were part of the new NSW Housing Code, which is now in effect.

“The Housing Code reduces the time it takes to approve whole houses to as little as ten days, and removes the need altogether for getting council approval for simple tasks like installing a letter box,” Ms Keneally said.

“Up until recently, the rules home owners needed to follow, in order to do something simple such as build a cubby house in the backyard for the kids, varied across councils.

“There’s 40 examples of straightforward tasks such as installing fences, cabanas and air-conditioning units which are now exempt from the approval process, **reducing costs and time for builders, tradesmen, suppliers and homeowners.**”

Ms Keneally said the NSW Housing Code also makes it a lot easier to get development approval for new houses.

“Under the new ‘checklist-style’ complying development code, many new home proposals can be approved within 10 days if they meet specified standards,” Ms Keneally said.

“The code outlines how new single and two storey dwelling houses, and home alterations and additions, on lots of 450 sq/m and greater can be quickly approved.”

Ms Keneally said councils have new powers to act against people who perform works under complying development which should have gone through a development application process.

“New powers will help councils crack down on people doing house modifications with no development consent, or the wrong type of approval,” Ms Keneally said.

Councils will be able to issue an **immediate stop-work order** to anyone carrying out unauthorised work. This allows councils to act immediately against development that is in breach of the *Environmental Planning and Assessment Act 1979*. That is work:

- Not in accordance with the development consent or complying development certificate;
- Occurring under complying development when, in fact, a development application is required; or
- Occurring without approval whatsoever.

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Ms Keneally said extensive preparations and consultation had taken place over the new Housing Code, resulting in strong public interest in the code.

“Throughout February the NSW Housing Code roadshow travelled around the State to provide councils, residents and practitioners with information on how the code works,” Ms Keneally said.

“More than 5,000 people have been briefed on the fact that houses will be able to be approved in ten days, and that minor development can now be exempt from development approval.

“And 1,300 enquiries have been received on the housing code information hotline and via email to the Department of Planning.” Ms Keneally said industry support has also been very strong and welcome:

- **Archicentre**, the building advisory service of the Australian Institute of Architects, has described the new Housing Code as being able to “*speed up the building of new homes and renovation projects which could create thousands of jobs.*”
- The **Building Designers Association of NSW** has stated that it “*fully supports the introduction of the NSW Housing Code as it makes the approval process for new homes more efficient, saving both time and costs.*”
- The **Master Builders Association** stated that they have “*been calling for just such a code for some time and it is gratifying to see it now in operation... We believe the NSW Housing Code goes a long way towards freeing up the housing approvals process.*”

Ms Keneally said that the Government will continue to work with councils and other stakeholders as the code is applied in NSW. For more information, go to www.planning.nsw.gov.au/housingcode.

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Glossary:

Complying development: A proposal approved as complying development is required to comply with specified predetermined development standards. These developments do not require a Development Application (DA) to be lodged with the local council. Instead a private or council certifier completes a complying development certificate. This provides approval and a construction certificate.

The NSW Housing Code outlines how residential developments including detached single and double storey dwellings and home extensions can proceed on lots greater than 450 square metres as complying development.

Exempt development: Exempt developments are minor forms of development, such as garden sheds, pergolas, fences, rainwater tanks and fixed barbecues. These developments are subject to satisfying pre-specified standards, if the development standards are met, the development can be built without any need for approval by an accredited certifier or local council. Other legislative requirements for approvals, licences, permits and authorities may still apply.

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FACT SHEET: TYPES OF DEVELOPMENT NOW EXEMPT FROM PLANNING APPROVAL

Access ramps	Aerials and antennae
Air conditioning units	Aviaries
Awnings, blinds and canopies	Balconies, decks, patios, pergolas, terraces and verandas
Barbecues	Bed and breakfast accommodation
Cabanas, cubby houses, ferneries, garden sheds, gazebos and green houses	Carports
Clothes hoists and clothes lines	Communications dishes (radio and satellite)
Demolition	Driveways
Earthworks and retaining walls	Farm buildings and structures
Fences (non rural) – behind the building line	Fences (non rural) – forward of the building line
Fences (rural)	Flagpoles
Fowl and poultry houses	Home businesses, home industries and home occupations
Home-based child care	Landscaping structures
Letterboxes	Minor building alterations (internal)
Minor building alterations (external)	Pathways and paving
Playground equipment	Portable swimming pools and spas and child resistant barriers
Privacy screens	Rainwater tanks (above ground)
Rainwater tanks (below ground)	Scaffolding
Screen enclosures (of balconies, decks, patios, pergolas, terraces and verandahs)	Shade structures of canvas, fabric, mesh or the like
Skylights, roof windows and ventilators	Temporary builders' structures
Water features and ponds	Windmills