

Demolition of buildings

This information sheet provides details about how to demolish buildings and structures as either exempt or as complying 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.

Complying development is a joint planning and construction approval that can be granted by council or a private certifier. [Information sheet 1.2](#)⁴ provides more information about complying development.

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

Demolition as exempt development

Demolition may be carried out as exempt development if it relates to a minor building or structure that could be constructed or installed under the policy.

For example, if a deck or a shed meets the criteria to be constructed as exempt development, then it can also be demolished as exempt development. These requirements are detailed in Subdivision 13 of the General Exempt Development Code.

Demolition as exempt development must be carried out in accordance with Australian Standard 2601—2001 - The demolition of structures. If the structure contains asbestos the demolition work must meet additional requirements for the removal of asbestos detailed at the end of this information sheet.

Demolition as complying development

The demolition of other buildings and structures can usually be carried out under a CDC issued under the Demolition Code.

This includes the demolition of a dwelling, ancillary development including garages and swimming pools, and industrial buildings.

If the site is in a heritage conservation area or draft heritage conservation area, only the following can be demolished:

- dwelling house walls that do not face or connect to a wall that faces a primary road, and

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

² www.planning.nsw.gov.au/exemptandcomplying

³ www.planning.nsw.gov.au/exemptandcomplyingoverview

⁴ www.planning.nsw.gov.au/exemptandcomplyingoverview

- an outbuilding that may be constructed under the Housing or Rural Housing Code, and
- internal walls and other elements of a dwelling in a heritage conservation area or draft heritage conservation area.

Development standards

The development standards that apply to the demolition code for complying development are as follows:

- all essential services must be disconnected in accordance with the relevant authority's requirements, and this must be detailed in the application for a CDC, and
- the structure being demolished must not be relocated unless it meets the relevant complying development standards specified policy.

In addition to these general requirements, the demolition of an existing attached dwelling or a semi-detached dwelling must not be carried out for the front 6m of the dwelling, or forward of the roof ridge line, (this is to protect the street frontage of both attached dwellings).

Where demolition of a wall near a side or rear boundary is adjacent to a wall on an adjoining lot within 900mm of the boundary, a professional engineer's report is required that details any necessary method of maintaining support. If any part of a common wall will be exposed it must be weatherproofed.

Where demolition involves the removal of a swimming pool any piping must be removed and the site must be restored to the ground level adjacent to the pool with compacted fill.

What are the conditions for complying development?

Schedule 9 of the policy sets out conditions that apply to a CDC for demolition and these will be specified on the approval. Important requirements include:

- If the demolition is to a wall that is within 900mm of a boundary and there is a wall on an

adjoining lot within 900mm an 'adjoining wall dilapidation report' is required.

- A waste management plan must be submitted to the principal certifying authority at least 2 days prior to work commencing on site and the site must be cleared of waste and debris at the end of the demolition process.
- Run-off and erosion controls must be implemented before work commences and maintained during demolition work to prevent soil erosion, water pollution or the discharge of sediment onto surrounding land.
- The hours for demolition are between 7am and 5pm Monday to Saturday and no demolition is to be carried out on Sunday or a public holiday.
- All demolition must be carried out in accordance with Australian Standard AS 2601 – 2001, *The demolition of structures*.

Additionally, neighbour notification prior to the commencement of works is required for demolition. Refer to Information Sheet 1.5 for notification requirements.

Asbestos removal

The *Environmental Planning and Assessment Regulation 2000* specifies that a condition must be imposed on the approval of a CDC for the removal of asbestos where the work relates to buildings constructed before 1987. This condition requires the safe handling and removal of asbestos by a licensed contractor in accordance with the *Work Health and Safety Regulation 2011*.

Certain businesses are licensed to undertake asbestos removal work under these regulations. Where demolition does not require a licensed contractor to carry out removal work, it should still be undertaken in a manner that minimises risks (refer to *Fibro & Asbestos—A Renovator and Homeowner's Guide* and other resources relating to asbestos removal on the Workcover Authority of NSW website www.workcover.nsw.gov.au).

Demolition undertaken as exempt development must also comply with the *Work Health and Safety Regulation 2011*.

Information on the removal and disposal of asbestos to landfill sites licensed to accept this

waste is available from the Office of Environment and Heritage.

Further Information

For more information visit the [Exempt and Complying Development Policy website](#)⁵ or contact the Department's Exempt and Complying Development Team on 1300 305 695 or by [email](#)⁶.

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](#)⁷ to find out if it is used by your local council or for more details.

⁵ www.planning.nsw.gov.au/exemptandcomplying

⁶ codes@planning.nsw.gov.au

⁷ www.electronichousingcode.com.au/