

CARPORT AND PATIO GUIDELINE

Planning a new carport or patio? Check your property boundary and setbacks before finalising your design. Provide an accurate site plan showing the proposed location of the structure. A survey may be required where the boundary position is uncertain, particularly if the proposed structure is close to the boundary. A structure cannot be approved if it extends over the property boundary.

Check the setback from your boundary. If your proposed carport or patio is closer than 1.5 m to the boundary, speak with NCL before finalising your design. A reduced setback may be possible in some circumstances where the relevant requirements are met, but this is not automatic and may require additional planning and building assessment.

NCL assesses building work against applicable NT building requirements, the National Construction Code (NCC), Building Note 114 and local planning requirements. Checking your boundary, setbacks and approval requirements early can help avoid delays or changes to your design later.

1. Building approval & Development approval

BUILDING APPROVAL	DEVELOPMENT APPROVAL
• Checks whether the structure is safe and meets building requirements • This can include structural design, construction requirements and the NCC • You may need this unless your proposed work meets the applicable Building Note 114 exemption requirements.	• Checks whether your proposed structure is suitable for the property and meets planning requirements • This can include things like setbacks, site layout, parking and how the proposal fits on the property • You may need this if your proposal does not meet the usual planning requirements or requires planning assessment.

You may need both approvals before you can start work. Make sure you have the right approvals before you begin.

2. Which application pathway?

Building Note 114 provides exemptions for certain Class 10 buildings and structures. A carport is generally a Class 10a non-habitable building under NCC. To use Building Note 114 exemption, the proposed work must meet all applicable criteria.

EXAMPLES COVERED BY BUILDING NOTE 114		BUILDING APPLICATION GENERALLY REQUIRED
• Garden sheds • Carports • Private garages • Shade structures • Pergolas and gazebos • Bali huts • Greenhouses or shade houses • Aviaries, dog kennels and chicken coops	• Less than 30 m² floor area • No more than 2.5 m high • Roof area less than 15 m² • Must be freestanding • Must not be fully enclosed • Must not be connected to plumbing or drainage • Must be ancillary to a residential building • Must be for storage or non-commercial use	• The structure does not meet the BN114 criteria. • The structure is attached to another building and does not meet the relevant exemption. • The structure is fully enclosed or used for a purpose not covered by BN114. • The proposed work requires building certification or other assessment.

Do I need private certifier?

Some carports and patios may require a private building certifier and an Out of Area (OOA) Design Compliance Certificate, particularly those in commercial or industrial areas, or designs requiring engineering certification. Where an OOA Design Certificate is required, the applicant will need to engage a private certifier to assess and certify the proposed works. The certifier’s documentation must be provided as part of the Building Application submitted to NCL.

3. What do i need to submit?

MINOR WORKS	BUILDING APPLICATION	BOTH PATHWAYS
• NCL Minor Works form and declaration • Site plan • Drawings or manufacturer’s specifications, including footing details • Excavation Permit application (unless replacing like-for-like) • Sub-lessee approval (where applicable)	• NCL Building Application • Excavation Permit application • Site plan • Section 40 Design Certificate and/or manufacturer’s specifications • Sub-lessee approval (where applicable) • Out of Area Design Certificate (where applicable)	Your site plan should show: • Property boundaries • Structure location • Distance from boundaries and buildings Include all required documents with your application to avoid delays.

4. How to apply

- Check your requirements - Confirm your property boundary, setbacks and whether you need Development Approval, Building Approval or both.
- Check Building Note 114 - If you think your carport or patio may be exempt, make sure the proposed structure meets all applicable BN114 requirements.
- Prepare your documents - Include the required application form, site plan, drawings, specifications, engineering or certification documents and any other supporting information.
- Check excavation requirements - Confirm whether an Excavation Permit is required and make sure underground services have been considered.
- Submit your application - Provide all required documents to NCL for assessment. If a private certifier or OOA Design Compliance Certificate is required, include the relevant documentation.
- Wait for approval - Do not start construction until all required approvals have been issued.
- Build as approved - Construct the carport or patio in accordance with the approved plans and requirements.

5. Before you build

- Confirm your property boundary.
- Check the proposed setback from the boundary and other structures.
- Check whether Development Approval is required.
- Check whether Building Approval is required or whether the work meets the Building Note 114 exemption requirements.
- Make sure your plans and engineering documents are complete.
- Check whether an Excavation Permit is required.
- Check underground services before any excavation
- Confirm whether a private building certifier or OOA Design Compliance Certificate is required.
- Obtain all required NCL approvals before starting work.
- Keep your approved plans and documents and complete any required inspections and certification when the work is finished.

FREQUENTLY ASKED
QUESTIONS

Do I need approval to build a carport or patio?

Some smaller freestanding Class 10 structures may be exempt from a building permit and occupancy certification under BN114 if all exemption criteria are met. Other structures may require building approval. Planning, setback and NCL requirements may also apply.

What is BN114 and could my structure be exempt?

BN114 is a Northern Territory building exemption for certain Class 10 non-habitable buildings and structures. The structure must meet all relevant criteria, which can include requirements for its size, height, use, construction, attachment and enclosure.

Does a BN114 exemption mean I do not need any other approval?
No. A BN114 exemption only relates to building permit and occupancy certification requirements. Planning, setback, NCL, safety and other requirements may still apply.If your work qualifies for the Minor Building Works pathway, you must submit a Minor Building Works Form to NCL and receive approval before starting work.

Do I need a development permit?
A development permit may be required where the proposal requires planning consent or does not meet the applicable requirements of the NT Planning Scheme. A development permit does not replace a building permit where a building permit is also required.

Do carports and patios need to meet cyclone requirements?
Yes. Where building or structural requirements apply, the structure must comply with applicable Northern Territory building requirements and the National Construction Code.

Where can I locate my carport or patio?

The location must comply with applicable planning, setback, building and site requirements. Your site plan should show the proposed location, property boundaries and setbacks and should take into account easements, existing structures, underground services and vehicle access.

How close can I build to my property boundary?

The required setback depends on the property and applicable planning requirements. A BN114 exemption does not remove planning or setback requirements. Confirm the required setback before finalising your design.

Can I start construction before approval is granted?

No. Do not start work until all required approvals have been issued. Starting work without the required approval may result in compliance action and could require the structure to be modified or removed.

What happens if my carport or patio is already built without approval?

Contact NCL to discuss the appropriate next steps. Retrospective approval may be possible, but it is not guaranteed. Modifications or removal may be required if the structure does not comply.

What happens if my carport or patio does not comply?

NCL may require an unsafe or non-compliant structure to be rectified, modified or removed. The property owner may be responsible for the associated costs.

Who is responsible for maintaining a carport or patio?

The property owner is responsible for maintaining the structure in a safe and presentable condition and ensuring it continues to comply with applicable approval conditions and requirements.

Can I install a pre-fabricated carport kit?

A pre-fabricated or kit carport is not automatically exempt from approval. The completed structure must meet the applicable BN114 criteria if an exemption is being relied upon. Where approval is required, manufacturer specifications, plans and structural information may be required.

Can I build a freestanding carport?

Yes, subject to the applicable requirements. Some smaller freestanding carports may qualify for a BN114 exemption if all criteria are met. Larger structures or those that do not meet the criteria may require building approval.

Can I attach a carport to my house?

Yes, subject to the applicable planning and building requirements. An attached carport should not automatically be assumed to qualify for the freestanding BN114 exemption and may require building approval and certification.

Can I enclose my carport or convert it into a garage?

Enclosing a carport can change its classification and approval requirements. Converting it into an enclosed garage or habitable area may require additional building, structural and planning approval. Contact NCL before carrying out these works.

Do I need approval to replace an existing carport?

Yes, the replacement should be assessed against the current requirements, including any applicable BN114 exemption, planning and NCL requirements. Do not assume an existing approval or exemption will automatically apply to the new structure.

Can I build a freestanding patio or pergola?

Some freestanding patios, pergolas, gazebos and shade structures may qualify for a BN114 exemption if all relevant criteria are met. Requirements can include limits on size, height, roof area, use, attachment and enclosure.

Can I attach a patio to my house?

An attached patio or verandah should not automatically be assumed to qualify for the freestanding BN114 exemption. Building approval may be required, along with applicable planning, setback and structural requirements.

Can I install a patio roof without enclosing the sides?

Some open-sided roofed structures may qualify for a BN114 exemption. The approval pathway depends on the size, location, attachment and design of the structure.

Can I add screens to my patio?

Yes, but adding screens can affect whether the structure remains open or becomes enclosed, which may change the applicable building requirements. Provide details of the screen's height, materials, location and attachment where required.

Can I fully enclose my patio?

Fully enclosing a patio with walls, doors, windows or solid screens can change its classification and approval requirements. The structure may no longer qualify for a BN114 exemption and may require additional building assessment.

Can I build a patio over my existing concrete slab?

This may be possible, provided the existing slab is suitable for the proposed structure and the design meets applicable structural and building requirements. An existing slab should not automatically be assumed to be suitable.

Can I extend my existing patio or carport?

An extension may change the structure's size, design or approval status. The proposed works should be assessed before construction begins, with the plans showing the existing and proposed works, dimensions and setbacks.

Can I install a pergola instead of a patio?

Some freestanding pergolas may qualify for a BN114 exemption. Roofing, attachment, size, height and screening can affect the applicable approval pathway.