

What is a patio?

A patio is an unenclosed (open on two or more sides) structure roofed in a water impervious material which may or may not be attached to a dwelling. A patio is usually used for outdoor living / entertaining.

What is a pergola or shade sail?

A pergola or shade sail is defined as an open-framed structure covered in a water permeable material or unroofed, which may or may not be attached to a dwelling.

Do I require Development Approval (Planning Approval)?

Development approval for your patio **is not required if it complies** with the following:

- A maximum height of 2.7m.
- A maximum length of 10m.
- The roof or gutter is setback at least 450mm from the side or rear lot boundary.
- The patio is setback the minimum distance from the street boundary – Generally 3m – within the Residential areas in the Shire, and
- The patio provides sufficient open space and uncovered outdoor living area - Generally 50% - within the Residential areas in the Shire.

Patios:

Patios are assessed against the Residential Design Codes – Volume 1 (R-Codes)

Pergolas / Shade sails:

Planning Approval in most cases is not required for a pergolas or shade sails as these structures are exempt under the Planning and Development (Local Planning Schemes) Regulations 2015. Consequently, they do not require planning approval.

Do I need a Building Permit?

Patios:

A Building Permit is **not required** provided the patio sail complies with ALL the following:

- a) The structure is freestanding; and
- b) The structure has a maximum floor area of 10m²; and
- c) The maximum height is 2.4m.

In all other instances a Building Permit is required.

Pergolas / Shade Sails:

A Building Permit is **not required** provided the pergola/shade sail complies with ALL the following:

- a) The structure is freestanding; and
- b) The structure has a maximum floor area of 20m²; and
- c) The maximum height is 2.4m.

In all other instances a Building Permit is required.

Do I need my neighbour's approval?

Neighbour's approval is **not required**: -

- Where your proposal complies with the above exempt provisions
- to lodge a development application (planning approval). However, the Shire will assess the application and if required advertise the proposal to affected neighbours if it considered there may be an amenity impact on the adjoining properties.

How long does the development application process take?

The Shire has 60 days in which to determine the application as stipulated in the Planning and Development (Local Planning Scheme) Regulations 2015. However, applications such as patios normally have a faster turnaround time.

Example 1:

- A proposed patio is 7m long and 2.5m high.
- The patio has a total area of 20m².
- The posts are on the side boundary, with the roof setback 0.5m from the boundary.
- The subject property is zoned 'R30' and has an area of 600m².
- The patio is in the back garden of the property.
- The back garden has over 50m² of unroofed outdoor living area remaining.

In this instance, planning approval would not be required however a building permit would be required.

Example 2:

- A proposed patio is 9m long and 2.9m high.
- The patio has a total area of 30m².
- The posts are on the rear and side boundaries, with the roof setback 0.5m from the boundary.
- The subject property is zoned 'R30' and has an area of 700m².
- The patio is in the back courtyard of the property.
- The back garden has over 50m² of unroofed outdoor living area remaining.
- However, as the height of the patio is 2.9m which exceeds the 2.7m height permitted, this patio would not comply with the requirements.

In this instance, both planning approval and a building permit would be required.

Site details

Information on your property, lot sizes, dimensions and recent aerial imagery is available from: -

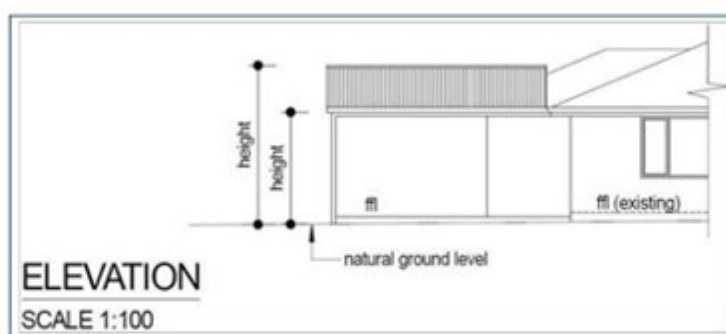
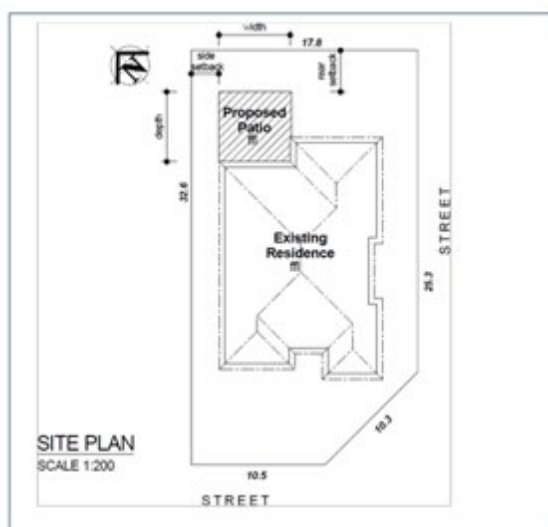
- Shire's website – [public mapping](#)
- [Landgate Viewer Plus map](#)

The information includes aerial photographs.

- Aerial imagery is 'photographs' taken from an aircraft at a predetermined altitude and commonly along a predetermined flight grid and show general information.
- To get accurate site dimensions and setback distances to structures from boundaries you will need to have a site survey undertaken by a licensed surveyor.
- A survey shows the accurate position of the legal boundary for an existing property.
- **The Shire does not carry out land surveys.**

Planning Approval Requirements

- 1) Completed Planning Application Form - Signed by each owner of the property.
- 2) Completed checklist – Development (Planning) Application checklist.
- 3) Planning Application Fee payable
- 4) Floor Plan – Scale 1:100
- 5) Site Plan – Scale 1:100 or 1:200 showing north Point, Lot boundaries, existing dwelling, and other structures.
- 6) Elevation Plans – Scale 1:100 showing height, natural ground levels. design
- 7) Letter or report detailing any aspects that do not comply with the R-Codes or Shire Policies.



For more information, please refer to the Shire's Planning Application Requirements webpage.

Building Permit Requirements?

Building permit application forms (certified or uncertified) are available from the Department of Mines, Industry Regulation and Safety (DMIRS)'s website at www.commerce.wa.gov.au/building-commission.

The following information will be required as part of an application for a building permit.

Certified	Uncertified
<ul style="list-style-type: none"> • Completed and signed BA1 Application Building Permit – Certified. • Completed and signed BA3 Certificate of Design Compliance. • Completed and signed Certified Building Application Checklist. • Payment of the building application fee 	<ul style="list-style-type: none"> • Completed and signed BA2 Application Building Permit – Uncertified. • Completed and signed Uncertified Building Application Checklist • Payment of the building application fee

For more information, please refer to the Shire's Building Permit Requirements webpage.

Further information.

For further information please visit the Shire's website at www.coolgardie.wa.gov.au or visit the Shires Customer Service Counters at the Coolgardie and Kambalda Recreation Centre or by phoning the Development Services on 9080 2111 or email (planning@coolgardie.wa.gov.au)