

BUILDING INFORMATION SHEET: Patios, Verandah and Pergolas (Class 10a)

A Breath of Fresh Air

Definition

Patio

An unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling.

Verandah

A roofed open platform attached to a dwelling.

Pergola

An open-framed structure covered in water permeable material, or operable louvred roofing, which may or may not be attached to a dwelling.

Frequently Asked Questions

When is a Building Permit required for a patio, verandah or pergola?

Patios are only exempt from requiring a Building Permit when they are freestanding, have a floor area of 10m² or less and are no more than 2.4m in height.

Pergolas are only exempt from requiring a Building Permit when associated with a dwelling, cover an area not exceeding 20m² and are no more than 2.4m in height.

Please note, if you are not sure whether a permit is required you should check with the Shire of Harvey's Building Department.

Can I build a patio, verandah or pergola as an owner's builder?

Yes, owner builders are permitted to construct a patio, verandah or pergola. If the value of construction is over \$20,000 you will need to apply to the Building & Energy Division of the Department of Mines, Industry Regulation and Safety for an Owner Builder certificate. A Building permit cannot be issued on works valued over \$20,000 unless an Owner Builder certificate has been received or a registered builder has been contracted to do the work.

Please refer to the Building and Energy Division - Department of Mines, Industry Regulation and Safety website by clicking [here](#) which outlines when a registered builder is required.

Who is required to submit the application?

Either the Builder or Owner can submit the application.

What is the difference between a Certified Application (BA1) & Uncertified Application (BA2)?

BA1

Requires a Certificate of Design Compliance (BA3) to be completed by a Private Building Surveyor as part of the building permit.

BA2

The BA3 will be issued by the Shire as part of the building permit.

How long will my application take to process?

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Providing all documentation is provided and no additional information requested.

- Certified Applications – Within 10 working days of it being lodged.
- Uncertified Applications – Within 25 working days of it being lodged.

What are the required setbacks for a patio, verandah & pergola?

Residential

- A patio must be no closer to the boundary facing the primary street than the minimum setbacks prescribed in column 7, Table 1 (page 53) of the [Residential Design Codes \(R-Codes\)](#).
- If you have a corner property, the patio, verandah or pergola must be located a minimum of 1.5m from the secondary street boundary.

- Side & Rear setbacks

Patios must be setback a minimum of 900mm from the side or rear property boundaries to comply with the fire separation requirements of the Building Code of Australia. Alternatively, a patio roof can be setback a minimum of 500mm from the side or rear property boundary with posts on the property boundaries when a performance solution forms part of the application. The patio must also not exceed 10m in length or 2.7m in height, anything greater than this will require an R-Codes variation to be submitted to the Shire's Planning Department for consideration.

- The minimum open space requirements outlined in column 6, Table 1 of the R-Codes must be maintained. All patios and verandah's open on two sides and having a total of 50m² in floor area or 10% of the site area whichever is lesser is considered to be open space.

Special Residential and Special Rural Zones

- Patios/ verandah's / pergolas within these zones are required to be within the Building Envelope for the Lot. If you are unsure of your Building Envelope, please contact the Shire's Planning Department.

General & Intensive Farming Zones

- There are no size or height restrictions for structures associated with a dwelling for domestic use in these zones. Please contact the Shire's Planning Department if you require further information.

What plans and specifications do I need to submit with an Uncertified application for a Building Permit?

Along with a completed Application for Building Permit-Uncertified (Form BA2), one copy of the following plans and details are required:

- A full site plan clearly showing the location of the patio, verandah or pergola in relation to the property boundaries and existing buildings on the property. This site plan is to be drawn to a minimum scale of 1:200 and must show the finished floor level relative to the house floor level.
- Floor plan and elevations of the proposed patio, verandah or pergola to a scale of not less than 1:100.
- Construction details that nominate the materials to be used including their dimensions and fixing methods.
- Structural certification of the design is required for all steel structures and may also be required for other methods, as required. Advice should be sought from the Shire's Building Department prior to submitting an application.
- Payment of the Building Fees for the application.

If value exceed \$20,000 the following is also required:

- Registered Builder or Owner Builder details.
- Construction Training Fund Form

What plans and specifications do I need to submit with a Certified application for a Building Permit?

Along with a completed Application for Building Permit-Uncertified (Form BA1), one copy of the following plans and details are required:

- A copy of the Certificate of Design Compliance (BA3) issued by the private building surveyor.
- All documents listed on the BA3.
- Payment of the Building Fees for the application.

If value exceed \$20,000 the following is also required:

- Registered Builder or Owner Builder details.
- Construction Training Fund Form

What are the fees for a Building Permit application?

For applications fees please refer to the ['Building Schedule of Fees and Charges'](#) on The Shire's website.

Disclaimer

This information sheet is provided as generalised information. While the Shire aims to keep the content of this document current and accurate, the Shire accepts no responsibility or warranties for actions based on the information provided. The Shire of Harvey encourages you to seek professional advice before acting on any information contained in this document. Please contact the Shire of Harvey if you have any questions.

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