

BUILDING INFORMATION SHEET

Patios, Verandahs 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?

A Building Permit is required for a patio if it is not freestanding, has a floor area greater than 10 m², or exceeds 2.4 metres in height. A Building Permit is required for a pergola if it is not associated with a dwelling, covers an area greater than 20 m², or exceeds 2.4 metres in height.

If you are unsure whether a permit is required, please contact the [Shire of Harvey's Building Department](#).

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

Yes. Owner-builders are permitted to construct a patio, verandah or pergola.

If the value of construction exceeds \$50,000, you must apply to the Department of Local Government, Industry Regulation and Safety (LGIRS): [LGIRS Forms](#) for an Owner-Builder Certificate.

A Building Permit cannot be issued for works valued over \$50,000 unless an Owner-Builder Certificate has been received or a registered builder has been contracted to carry out the work.

Please refer to the Department of Local Government, Industry Regulation and Safety (LGIRS): [LGIRS Forms](#) website, which outlines when a registered builder is required.

How long will my Building Permit application take to process?

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Providing all required documentation is submitted and no additional information is requested:

- Certified Applications (BA1): Processed within 10 working days from the date of lodgement.
- Uncertified Applications (BA2): Processed within 25 working days from the date of lodgement.

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

Residential Properties

- A patio, verandah or pergola must be no closer to the boundary facing the primary street than the minimum setbacks prescribed in Column 7, Table B (page 45) of the [Residential Design Codes \(R-Codes\)](#).
- On corner properties (Secondary Street boundary), an outbuilding must be set back in accordance with Column 7, Table B of the [Residential Design Codes \(R-Codes\)](#) for the relevant density coding.

Side and Rear Setbacks

- A patio, verandah or pergola must be setback in accordance with Part 5.1.3 of the [Residential Design Codes \(R-Codes\)](#).

Fire Separation Requirements

- Patios must be set back at least 900mm from side or rear property boundaries to meet the fire separation requirements of the Building Code of Australia (BCA). [NCC 2022 Volume Two and ABCB Housing Provisions Standard](#)
- Alternatively, a performance solution is required for a lesser setback to be considered, which may allow the patio roof and supporting posts to be located on the property boundaries.

For more information, please contact the [Shire of Harvey's Building Department](#).

Bushfire Separation requirements

For a proposed patio, verandah and pergola within a bushfire-prone area, compliance requirements depend on its distance from the dwelling and the age of the dwelling. If the patio is located more than 6 metres from the dwelling, it is not required to comply with bushfire construction standards. If the patio is within 6 metres of a dwelling built after April 2016, it must comply with the relevant Bushfire Attack Level (BAL) for the property. For sheds associated with dwellings built prior to April 2016, proposals will be assessed on a case-by-case basis.

See attached link to confirm if your property is in a bushfire prone area [Map of Bush Fire Prone Areas](#)

- For more information, please contact the [Shire of Harvey's Building Department](#).

Open Space Requirements

- The minimum open space requirements outlined in Column 6, Table B of the [Residential Design Codes \(R-Codes\)](#) must be maintained.
- All patios and verandahs open on two sides and having a total of 50m² in floor area or 10% of the site area (whichever is lesser) are considered open space.

Rural Residential, Rural and Priority Agriculture 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.

Other Zones

For properties located in zones not listed above, please contact the [Shire's Planning Department](#) for advice on applicable setback and approval requirements.

Application Checklist

For a complete list of required documents and forms to accompany a Building Permit application, please refer to the [Building Applications Forms and Checklists - Shire of Harvey](#)

Disclaimer

This information sheet is provided as generalised information. While the Shire of Harvey aims to keep the content of this document current and accurate, the Shire accepts no responsibility or warranties for actions taken 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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