



Patio, Gazebo or Carport (timber frame)

A patio or gazebo is an open-sided structure with a solid or impervious roof that can be freestanding or attached to another building. A carport is a similar structure that is used for the storage of one or more vehicles. Patios, gazebos and carports are all Class 10a buildings.

When is approval required?

A **development approval** is required for a patio, gazebo or carport that does not comply with the deemed-to-comply provisions of the Residential Design Codes. The Codes set out design and siting requirements for residential development, including open space and setback requirements. If the site is not zoned residential development approval may be required regardless.

NOTE: All other required approvals, including development approval, must be obtained and complied with before making an application for building permit.

A **building permit** is required for a patio, gazebo or carport that –

- is attached to another building and NOT freestanding; or
- has a floor area exceeding 10 square metres; or
- is more than 2.4 metres in height; or
- is located in wind region C or D (the City of Gosnells is not located in these regions).

NOTE: It is an offence under the *Building Act 2011 (WA)* to undertake building work without a valid building permit unless the work is a type that is exempt. The penalty for a first offence is a fine of up to \$50,000. An application for building permit cannot be made for an existing structure (see information sheet for unauthorised work).

General requirements

All buildings must be designed and constructed in accordance with the Residential Design Codes and the applicable building standards, even if an approval is not required. Non-compliant buildings may be subject to compliance action.

Timber framed buildings should be designed and constructed in accordance with the timber framing code (AS1684) which sets out specifications and requirements for timber framed construction. Specifications for all timber components, including grade and treatment must be provided on the structural plans provided with an application.

Setback requirements

Patios, gazebos and carports must be set back from boundaries in accordance with the Residential Design Codes. The Codes require:

- 1 metre from a shared lot boundary;
- 1.5 metres from a secondary street boundary (1 metre if zoned R40 or higher)
- average 6 metres from a primary street boundary (4 metres if zoned R30 or higher).

NOTE: Setbacks may be impacted by local area plans or other special planning requirements.

A person may apply for development approval to vary the Codes in accordance with the City's *Local Planning Policy 1.1.1 – Residential Development*, however the National Construction Code (NCC) still applies minimum setbacks for fire safety. The NCC requires timber framed buildings to be set back at least 0.9 metre from property boundaries or be isolated from the dwelling.

More information

For more information about making an application for building permit for a new building or an application for building approval certificate (BA13) for unauthorised work, see the information sheets available on the City's website or at the customer service desk.

For information about shade sails or open-roofed pergolas, see the respective information sheets available on the City's website or at the customer service desk.



Development application checklist

Use the checklist below to prepare an application for development approval for a patio, gazebo or carport. Unless otherwise stated, all items are required for an application to be accepted.

Forms and applications

- Application for development approval form
- Adjoining property owners' comment form and plans signed by all affected owners (generally required for structures with a reduced setback from a lot boundary)

Plans

- Site plan, floor plan and elevations, drawn to a suitable scale, showing the layout and orientation of the structure, including dimensions, height, site levels and setbacks from boundaries and existing structures

Fees and levies

- Refer to the current Schedule of Fees for more information

NOTE: A development application for a minor variation to the Residential Design Codes can be lodged alongside an **uncertified** application for building permit. For a **certified** application for building permit, development approval must be obtained and complied with before lodgement.

Building permit application checklist

Use the checklist below to prepare an application for building permit for a patio, gazebo or carport. Unless otherwise stated, all items are required for an application to be accepted.

Forms and applications

- For a **certified** application:
 - BA1 – Application for building permit – certified; and
 - BA3 – Certificate of design compliance
- For an **uncertified** application:
 - BA2 – Application for building permit – uncertified
- Construction Training Fund levy payment form (for work valued \$20,000 or more)

Plans

- Site plan, floor plan and elevations, drawn to a suitable scale, showing the layout and orientation of the structure, including dimensions, height, site levels and setbacks from boundaries and existing structures
- Structural plans and specifications detailing the materials and construction methods to be used in accordance with AS1684

Fees and levies

- Refer to the current Schedule of Fees for more information

If you require further information please contact us using the details below.

At the Civic Centre:

Open Monday to Friday, 8:30am to 5pm
2120 Albany Highway, Gosnells
Phone: (08) 9397 3000

In writing:

Post: PO Box 662 Gosnells WA 6990
Email: council@gosnells.wa.gov.au