

Local Planning Policy

Patios

Prepared by Planning and Sustainability Services
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Background

Patios are a popular addition to residential dwellings. They enhance the use and enjoyment of properties, provide weather protection to outdoor living areas and can also assist in achieving beneficial passive solar design outcomes.

The Residential Design Codes of Western Australia (R-Codes) generally do not provide specific development criteria for patios, with little distinction compared to criteria for the main dwelling. Given that patios tend to be single storey, light weight, open sided structures and are typically built on a similar level as the main dwelling, they are generally less likely to result in amenity impacts on adjacent properties. It is therefore considered that there is scope to provide a more tailored and flexible set of acceptable development criteria for patios.

This policy establishes a set of acceptable development criteria applicable to patios and clarifies when planning approval for patios is required.

Definitions

The R-Codes provide for the relevant definitions of patios and open space as follows:

'Patio' means a water impermeable roofed open-sided area which may or may not be attached to a dwelling.

'Open space' means that area of a lot which is not occupied by any building and includes:

- *open areas of accessible and useable flat roofs and outdoor living areas above natural ground level;*
- *areas beneath eaves overhangs, verandahs or patios not more than 0.5 m above natural ground level, unenclosed on at least two sides and covering no more than 10 per cent of the site area or 50 sq m whichever is the lesser;*
- *pergolas;*
- *uncovered driveways (including access aisles in parking areas) and uncovered car bays; but excludes:*
 - *non-accessible roofs, verandahs and balconies over 0.5 m above natural ground level;*
 - *covered car parking bays and walkways, areas for rubbish disposal.*

Planning Approval Requirements

Patios associated with single houses that are otherwise exempt under the Shire's Town Planning Scheme from the need to obtain planning approval and meet all of the requirements of this policy do not require planning approval.

In all other circumstances, planning approval must be obtained prior to the development commencing.

Applicants will need to clearly demonstrate that their proposal meets all of the objectives and requirements of this policy. Applications must also meet any other requirement of the Shire's planning framework that may be applicable for a particular site under a Town Planning Scheme or any applicable Outline Development Plan, Structure Plan, Local Planning Policy or Detailed Area Plan.

Where there is an inconsistency between this policy and a requirement under a more specific planning framework document for a particular site, the more specific requirement prevails to the extent of any inconsistency.

Objectives

To provide a more tailored and flexible set of acceptable development criteria for patios.

To provide reasonable opportunity to enhance the use and enjoyment of outdoor living areas.

To ensure that patios do not have any significant adverse impact on the amenity of the adjoining property or the streetscape.

Requirements

The following acceptable development criteria illustrate a way of meeting the performance criteria for patios:

1. The proposed patio has a minimum post height of 2.1 metres and a maximum post height of 2.8 metres.
2. The proposed patio has a maximum ridge height of 4.2 metres.
3. The proposed patio is open on at least two sides.
4. The proposed patio does not reduce the amount of open space required in accordance with the provisions of the R-Codes.
5. The proposed patio is not located within a primary street setback area.
6. The finished floor level of the proposed patio is not elevated more than 0.5 metres above natural ground level.
7. The proposed patio meets all setback requirements of the Building Code of Australia and is not attached to the boundary wall or fence.
8. All stormwater runoff from the patio is contained on site.
9. The proposed patio should enhance passive solar design of the associated dwelling.
10. The design, colour and materials of the proposed patio should compliment those of the associated dwelling.

Administration

Directorate		Officer Title	
Planning and Sustainability		Director Planning and Sustainability	
Version	Decision to Advertise	Decision to Adopt/Amend	Current Status
1	OCM11/041 – 31/3/2011	OCM11/076 – 26/5/2011	Adopted

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