



## WHEN PLANNING/DEVELOPMENT APPROVAL IS NOT REQUIRED

### NEW SINGLE HOUSES

You do not need planning/development approval for the construction of a single house on a lot in a Residential zone if it meets the deemed to comply provisions of the Residential Design Codes (R-Codes) and the property is not on a Heritage List.

### GARAGES AND CARPORTS

You do not need planning/development approval for the construction of a garage on a lot in a Residential zone where:

- it is setback 4.5 metres (facing a primary street) or 3.0 metres (facing a secondary street)
- the garage door is setback 3.0 metres (if parallel to the street) and the wall facing the street includes windows
- the width of the garage and supporting structures does not exceed 50% of the frontage (single-storey dwellings) or 60% (two-storey dwellings).
- the area of the proposed garage, together with the area of all existing buildings on the site (including the house), does not exceed 55%;
- the property is not on a Heritage List.

You do not need planning/development approval for the construction of a carport on a lot in a Residential zone where:

- it is setback 3.0 metres
- it is constructed of compatible materials, style and roof pitch to the existing dwelling;
- it is designed to allow for an unobstructed view between the dwelling and the street, right of way or equivalent; and
- the carport does not exceed 50% of the frontage at the building line.

### SHEDS/OUTBUILDINGS

You do not need planning/development approval for the construction of a shed/outbuilding on a lot in a Residential zone where:

- it is not attached to a dwelling (house)
- it is non-habitable (not to be lived in)
- collectively it does not exceed 60m<sup>2</sup> in area or 10% in aggregate of the site area, whichever is less
- the wall height does not exceed 2.4m (measured from the natural ground level)
- the ridge height does not exceed 4.2m (measured from the natural ground level)
- is not within the primary or secondary street setback area\*
- is setback a metre from the side and rear boundaries\*\*
- the area of the proposed outbuilding, together with the area of all existing buildings on the site (including the house), does not exceed 50%\*\*\*
- the property is not on a Heritage List.

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- \* These depend on the associated density code of the property. For example: if you are in a residential area with a density coding of R15, the primary setback is 6m. The secondary street setback which relates to corner lots generally requires a setback of 3 metres.
- \*\* In some circumstances, an outbuilding may be constructed up to the boundary without the need for development approval. We encourage you to contact the Shire to discuss your project.
- \*\*\* The total amount of open space required depends on the associated density coding. Properties with a density coding of R12.5 require 55% open space, R15-25 require 50% open space and R30-40 require 45% open space.

## PATIOS, PERGOLAS AND SHADE SAILS

### Patio

You do not need planning/development approval for the construction of a patio if it:

- is setback 3.0 metres (facing a primary street) or 1.5 metres (facing a secondary street);
- has a maximum eave height of 3.0 metres above natural ground level;
- has a maximum ridge height of 3.5 metres above natural ground level;
- is open on at least two sides; and
- does not cover more than two-thirds of the primary outdoor living area.

If you wish to vary any of the above, an application for planning/development approval is required to be lodged with the Shire.

### Pergola or Shade Sail

You do not need planning/development approval for the construction of a pergola or shade sail in a residential zone.

## GRANNY FLATS AND ANCILLARY DWELLINGS

You do not need planning/development approval for the construction of a granny flat/ancillary dwelling on a lot in a Residential zone where:

- it is associated with a single house and on the same lot
- the lot is not less than 450 m<sup>2</sup>
- there is a maximum plot ratio area of 70m<sup>2</sup>
- one extra parking bay is provided. This may be waived where the dwelling is within 800m of a train station or within 250 metres of a high frequency bus route.
- it is designed and sited to comply with all relevant provisions of the Residential Design Codes (R-Codes).

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Note: Granny flats/ancillary dwellings are only permitted on lots where the land title does not contain any common property (i.e. it must be a survey strata subdivision with no common property or green title). A granny flat/ancillary dwelling cannot be subdivided from the main dwelling, however it can be rented out to people who are not related to the occupants of the main house.

## SWIMMING POOLS AND SPAS

You do not need planning development approval for the installation of a swimming pool unless the property is on a Heritage List.

## OTHER SMALL PROJECTS

You do not need planning/development approval for the erection or installation of a cubbyhouse where:

- it is not erected or installed in the street setback area of a building;
- the floor is no more than 1 m above the natural ground level;
- the wall height is no more than 2.4 m above the natural ground level;
- the building height is no more than 3 m above the natural ground level;
- the area of the floor is no more than 10 m<sup>2</sup>; and
- is not erected or installed within 1 m of more than 1 boundary of the lot.

You do not need planning/development approval for the erection or installation of a flagpole where:

- the height is no more than 6 m above the natural ground level;
- it is no more than 200 mm in diameter;
- it is not used for advertising;
- there is no more than 1 flagpole on the lot; and
- the flagpole is not located in a Heritage List.

## SOLAR PANELS

You do not need planning/development approval for the installation of solar panels on the roof of a building, where the solar panels are parallel to the angle of the roof and the building is not a Heritage List.

## MAINTENANCE, REPAIR, TEMPORARY AND URGENT WORKS

You do not need planning/development approval for maintenance and repair works unless:

- the property is listed on Heritage List; or
- it is a type of work referred to in the *Heritage Regulations 2019* reg 41(1)(b)-(i).

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You do not need planning/development approval for internal building work if it does not materially affect the external appearance of the building and:

- it is not on a Heritage List; or
- it is on a list however the interior of the building is specified as not being of cultural heritage significance in the relevant register, order, agreement or list referred to in that clause.

You do not need planning/development approval for temporary works unless they exceed 48 hours. You do not need planning/development approval for works that are urgently necessary for:

- public safety; or
- the safety or security of plant or equipment; or
- the maintenance of essential services; or
- the protection of the environment;

**UNLESS** they are located in a heritage-listed place.

## DEMOLITION

You do not need planning/development approval for demolition work unless the property is on the Heritage List.

## ELECTION ADVERTISING

You do not need planning/development approval for the temporary erection or installation of an election advertisement unless:

- The advertisement is erected or installed in connection with an election, referendum or other poll conducted under the *Commonwealth Electoral Act 1918* (Cth), the *Referendum (Machinery Provisions) Act 1984* (Cth), the *Electoral Act 1907* (WA), the *Local Government Act 1995* (WA) or the *Referendums Act 1983* (WA);
- The primary purpose of the advertisement is for political communication in relation to the election, referendum or poll;
- The advertisement is not erected or installed until the writ or writs have been issued or, for an election, referendum or poll under the *Local Government Act 1995* (WA), until the 36th day before the day on which the election, referendum or poll is to be held;
- The advertisement is removed no later than 48 hours after the election, referendum or poll is conducted; and
- The advertisement is not erected or installed within 1.5 m of any part of a crossover or street truncation.

## Disclaimer

The advice on this page is a general guide only. We encourage you to contact the Shire to discuss your project so we can advise whether planning/development approval is needed. A planning officer is available during business hours to provide advice on a range of matters either in person, over the phone, or by email.

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