

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.1 – Ancillary Dwellings.

2.0 INTRODUCTION

State Planning Policy 7.3 – Residential Design Codes (the ‘R-Codes’) acknowledges that a local planning policy may be prepared to provide local objectives for housing design and development to guide the consideration of proposals. The R-Codes also acknowledge that a local planning policy may be prepared to address a specific local need to guide the consideration of a proposal that does not satisfy the deemed-to-comply provisions of the R-Codes.

This policy provides local objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation. It should be read in conjunction with the R-Codes.

3.0 OBJECTIVES

- 3.1 To alter the deemed to comply provisions of the R-Codes for Ancillary Dwellings.
- 3.2 To provide a clear definition of what constitutes an ‘Ancillary Dwelling’.
- 3.3 To ensure that an Ancillary Dwelling is provided, constructed and located in such a way so as to minimise their impact on the amenity of the locality by controlling building size, materials and location.
- 3.4 To ensure that ancillary dwelling is ‘ancillary’ or ‘secondary’ to the main house upon the property.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all ancillary dwellings (more commonly referred to as a ‘granny flat’).

5.0 APPLICATION REQUIREMENTS

Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes and the relevant design principles as outlined in the R-Codes.

6.0 POLICY STATEMENT

- 6.1 This policy supports a maximum of one (1) Ancillary Dwelling on any one (1) lot.
- 6.2 In consideration of an application for Ancillary Dwelling the following standards apply:

Zone	Maximum Habitable Floor Area	Maximum total roof area
Residential R10 and higher	70m ²	140m ²
Residential R5 and lower	80m ²	160m ²
Rural-Residential	90m ²	200m ²
Rural Smallholdings	100m ²	300m ²
Rural (smaller than 20ha)	100m ²	300m ²
Rural (larger than 20ha)	No limit	No limit

- 6.3 Ancillary Dwellings can either be attached or detached from the main dwelling, however, when detached the Ancillary Dwelling must be sited within 22m from the main dwelling on lots less than 4ha and within 50m for those lots greater than 4ha in area.
- 6.4 Ancillary Dwellings are required to be sited behind the ‘front building line’ of an existing dwelling on lots less than 4ha in area in all zones.
- 6.5 Ancillary Dwelling shall be constructed of colours and/or materials that are matching and/or complementary to existing development upon the property.
- 6.6 Ancillary Accommodation constructed within a Class 10 structure:

Should Ancillary Accommodation be proposed to be constructed within a Class 10 Outbuilding (i.e. a box or rectangular shaped structure constructed of coated or uncoated metal sheeting which does not include additional features such as eaves, verandahs, windows and other ‘house’ like features) the Ancillary Accommodation will be considered to be included within the total outbuilding area of a property. However, should the Ancillary Accommodation structure be purposely constructed as a Class 1A building and incorporate design features such as eaves, verandahs, windows and other ‘house’ like features the building would not be considered within the aggregate outbuilding area permitted upon a property.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

8.0 DEFINITION

- 8.1 For the purposes of this policy Ancillary Dwelling shall be as defined by the R-Codes.
- 8.2 For the purpose of this policy ‘Habitable Floor Area’ does not include areas such as bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room within the building.
- 8.3 For the purpose of this policy the ‘Front Building Line’ is to be measured from the closest point of the house to the front boundary drawn parallel to the boundary.

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.1