

Local Planning Policy

Ancillary Dwellings within Rural Residential Zones

Prepared by Planning and Sustainability Services
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1.0 Background

Ancillary dwellings, commonly referred to as granny flats, are self-contained, independent or semi-independent dwellings on the same lot as a single house.

Ancillary dwellings provide an opportunity for people with or without special needs to live in proximity to other people but with autonomy, supporting social cohesion, adding to the diversity of housing types available within the Shire and providing an affordable housing option.

Ancillary dwellings can be developed in a range of forms including a studio above a garage ('Fonzie Flats'), separate rear studios, and self-contained quarters within a single house, for example a second storey or separate ground floor wing that may have a shared lobby/entry or separate external access.

Criteria for the design of ancillary dwellings in residential areas is adequately dealt with by *State Planning Policy 7.3 - Residential Design Codes Volume 1*. In the Shire's rural areas however, there is a need to adjust the criteria to recognise the larger lot sizes and rural environment.

In rural areas, whilst there is room to allow flexibility for larger ancillary dwellings there is still a need to ensure that they remain related and subordinate to the main dwelling, do not detract from the productive use of rural land and do not adversely impact on the landscape character, amenity and environmental values of the Shire's rural areas.

This policy therefore seeks to set out the objectives and criteria under which the Shire will support ancillary dwellings in rural areas.

2.0 Application/Definitions

This policy applies to proposals for ancillary dwellings within Rural Residential Zones.

For the purpose of this Policy, Rural Residential Zones include land zoned 'Special Rural', 'Farmlet' and 'Rural' under *Local Planning Scheme No.4 (LPS4)*. It also includes land zoned 'Special Use' under LPS4 where ancillary accommodation is listed as a discretionary land use and the land is also zoned Rural under the Peel Region Scheme.

The terms 'ancillary dwelling', 'plot ratio' and 'plot ratio area' have the same meaning as that given in *State Planning Policy 7.3 - Residential Design Codes Volume 1*.

3.0 Development Approval Requirements

All proposals for ancillary dwellings within Rural Residential zones require the Development Approval of the Shire prior to the commencement of construction.

Applicants will need to clearly demonstrate that their proposal meets 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 property under the Local Planning Scheme or any applicable Local Development Plan, Structure Plan or Local Planning Policy.

4.0 Objectives

The objectives of this policy are:

- 1) To provide for an affordable housing type that accommodates the needs of both large or extended families as well as smaller family units not related to the family occupying the main dwelling without compromising the productive capacity of rural land, landscape character, environmental attributes and amenity of the area.
- 2) To allow greater flexibility in the size of ancillary dwellings in rural areas whilst ensuring that they remain related to and subordinate to the main dwelling.
- 3) To ensure the development of ancillary dwellings does not encourage the future subdivision of land.

5.0 Requirements

5.1 General

- 5.1.1 A single house must have already been established on the land or be intended to be established on the land concurrent with the construction of the ancillary dwellings.
- 5.1.2 No more than one ancillary dwelling is to be constructed on a lot.
- 5.1.3 The ancillary dwelling may be attached to, integrated with or detached from the main dwelling.
- 5.1.4 If the Shire approves an ancillary dwelling that approval is not to be taken to support in any way the future subdivision or strata subdivision of the lot or provision of separate certificates of title in respect of the two dwellings on the lot.

5.2 Size

- 5.2.1 Ancillary dwellings may have a plot ratio area of up to 70m² or up to 50% of the plot ratio area of main dwelling, to a maximum of 100m² whichever is the larger.
- 5.2.2 The ancillary dwellings is to be self-contained including a kitchen, bathroom, toilet and laundry, with no more than one living room and two bedrooms.

5.3 Location

- 5.3.1 The ancillary dwelling is to be sited to minimise impact on the landscape, environment and streetscape and be located no further than 20 metres from the main dwelling. Isolated or visually prominent locations should be avoided. Special consideration should be given for the relationship between the ancillary dwellings and existing buildings, trees and other landscape features.
- 5.3.2 Where a building envelope exists for a property, the ancillary dwelling is to be located entirely within the building envelope. If no building envelope exists, the setbacks stipulated in the Shire's Local Planning Scheme or relevant local planning policy for the particular area are to be met.
- 5.3.3 In the Rural Zone, the ancillary dwelling is to be sited in a manner that minimises the impact on the use of the land for rural purposes and so that it is separated from potentially conflicting land uses, such as stables, intensive livestock operations or livestock yards, either on the subject land or adjacent land.

5.4 Access and Carparking

- 5.4.1 The ancillary dwelling is to share the same driveway access as the main dwelling.
- 5.4.2 One additional car parking space is to be provided for the ancillary dwelling, whether in the form of a garage, carport or uncovered space.

5.5 Servicing



- 5.5.1 If a reticulated water service is available, the ancillary dwelling must be connected to the same service point/metre as the main dwelling. If a reticulated water service is not available, provision is to be made for a supply of potable water separate to the main dwelling from either an underground bore or a rainwater storage system with a minimum capacity of 90,000 litres, or a combination of these methods.
- 5.5.2 The on-site effluent disposal system for the main dwelling is to be upgraded to cater for the ancillary dwelling. Where a new system is to be installed it is to be in the form of an alternative nutrient attenuating effluent disposal system, unless it can be established that this is impractical in a particular instance.
- 5.5.3 Gas and electricity for the ancillary dwelling must be connected to the same supply/metre as the main dwelling.
- 5.5.4 The ancillary dwelling is to share the same mailing address and post box as the main dwelling.

Administration

Directorate		Officer Title	
Planning and Sustainability		Director Planning and Sustainability	
Version	Decision to Advertise	Decision to Adopt/Amend	Current Status
1	OCM11/103 – 30/6/2011	OCM11/132 – 25/8/2011	Revised
2	OCM13/096 – 27/6/2013	OCM13/147 – 29/8/2013	Adopted
3	OCM22/111 – 29/9/2022	OCM22/141 – 24/11/2022	Amendments Adopted

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