

# Ancillary Dwelling (Granny Flat) Information Sheet

## What is an Ancillary Dwelling?

An ancillary dwelling (sometimes referred to as a ‘Granny Flat’) is defined by the Residential Design Codes as a Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

## Do Ancillary Dwellings require Development Approval (Planning Approval)?

Development approval for an ancillary dwelling is not required if it complies with the following:

- Your property must have a total site area of at least 350m<sup>2</sup>
- The ancillary can have a maximum floor area of 70m<sup>2</sup> (excludes storerooms, balconies, verandas, stairs, vehicle parking areas, courtyards, or services areas).
- Provides sufficient open space and outdoor living area for your dwelling (see table below)
- Is designed to be compatible with the colour, roof pitch and materials of the existing house.

Zoning	Outdoor Living Area (for the primary dwelling)	Open Space
R10	No minimum	60%
R12.5	No minimum	55%
R20 / R25	30m <sup>2</sup>	50%
R30	24m <sup>2</sup>	45%
R40	20m <sup>2</sup>	45%
R50 / R60	16m <sup>2</sup>	40%
R80	16m <sup>2</sup>	30%

Ancillary dwellings are assessed against the Residential Design Codes – Volume 1 (R-Codes) as shown above.

## What if I live in a Heritage Protection Area?

Mount Lawley, Menora and Inglewood make up the City’s Heritage Protection Special Control Area (HPA). Local Planning Policy 3.1 Character Retention Guidelines Mt Lawley, Menora and Inglewood (LPP3.1), provide the requirements for ancillary dwellings in these areas. LPP3.1 can be found [here](#).

**All ancillary dwellings and granny flats in the HPA or on heritage listed properties require development approval.**

## How do I find my zoning?

Your zoning can be found by entering your address into the [Address & Application Assistant](#) on the City's website.

<b>Zone</b>	Residential R30
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## I live on a strata-titled lot, can I build an ancillary dwelling on my lot?

Ancillary dwellings are only permitted on lots where the land title does not contain any common property (I.e. must be a survey strata subdivision with no common property or green title).

## What are the design requirements for an ancillary dwelling?

The planning requirements can be found in Clause 5.5.1 (Ancillary Dwellings) of the Residential Design Codes – Volume 1, [which can be accessed here](#). Please note that other provisions of the R-Codes such as Visual Privacy and Lot Boundary Setbacks are also applicable to ancillary dwellings.

## Is additional car parking on the lot required?

The number of car parking spaces required on the lot is dependent on the distance the lot is from a high frequency bus route and/or rail route:

<b>Location A*</b>	<b>Location B</b>
No additional car bays are required.	One (1) additional car bay to be provided for the ancillary within the property.

\*Location A is any property that satisfies one the following:

- 800m of a train station on a high frequency rail route, measured in a straight line from the pedestrian entry to the train station platform to any part of a lot; or
- 250m of a high frequency bus route, or multiple bus routes that, if combined, have timed stops every 15 minutes during weekday peak periods (7 – 9am and 5 – 7pm), measured in a straight line from along any part of the bus route to any part of the lot.

If the property does not satisfy the above, then it is located within Location B.

## How far from the boundary does the ancillary dwelling need to be located?

The distance from the boundary to the wall of the ancillary dwelling depends on the length and height of the wall. The minimum setback is 1m. Please refer to Table 2a and 2b of the R-Codes to determine the required setbacks.

Please note that the setback to a secondary street is required to be in accordance with Table 1 of the R-Codes (generally a setback of 1m – 1.5m). Please refer to the R-Codes for further detailed information regarding setbacks.

## Can I build an ancillary dwelling on the boundary?

The R-Codes do permit boundary walls if your land is zoned R20 and above. Boundary walls are permitted to two side boundaries and a maximum of 3.5m high (please refer to the R-Codes for further information on boundary wall requirements).

## Do I need my neighbour's approval?

Neighbour's approval is not required to lodge a development application (planning approval). The City will assess the application and if required advertise the proposal to affected neighbours if it considered there may be an amenity impact on the adjoining properties.

## How long does the development application process take?

The City has 60 days in which to determine the application as stipulated in the *Planning and Development (Local Planning Scheme) Regulations 2015*. However, applications such as ancillary dwellings normally have a faster turnaround time.

## Do I need building approval?

A building permit is required for ancillary dwellings.

## How do I remove a Section 70A Notification from my title?

Previously, the City required ancillary dwellings to only be occupied by family members of the main house and required a Notification to this effect to be placed on the Certificate of Title.

A change in legislation removed the requirement for family members of the main house to occupy the ancillary dwelling. If you have previously had an approval from the City for an ancillary dwelling and have a Section 70A notification on the title this can now be removed. The following process can be followed to remove the notification:

1. Submit a request for written planning advice (including relevant fee) to the City asking if the notification can be removed.
2. Once written endorsement from the City has been received this correspondence can be provided to Landgate as confirmation that the Section 70A notification can be removed from the Certificate of Title. Please contact Landgate for further information on 9273 7373.

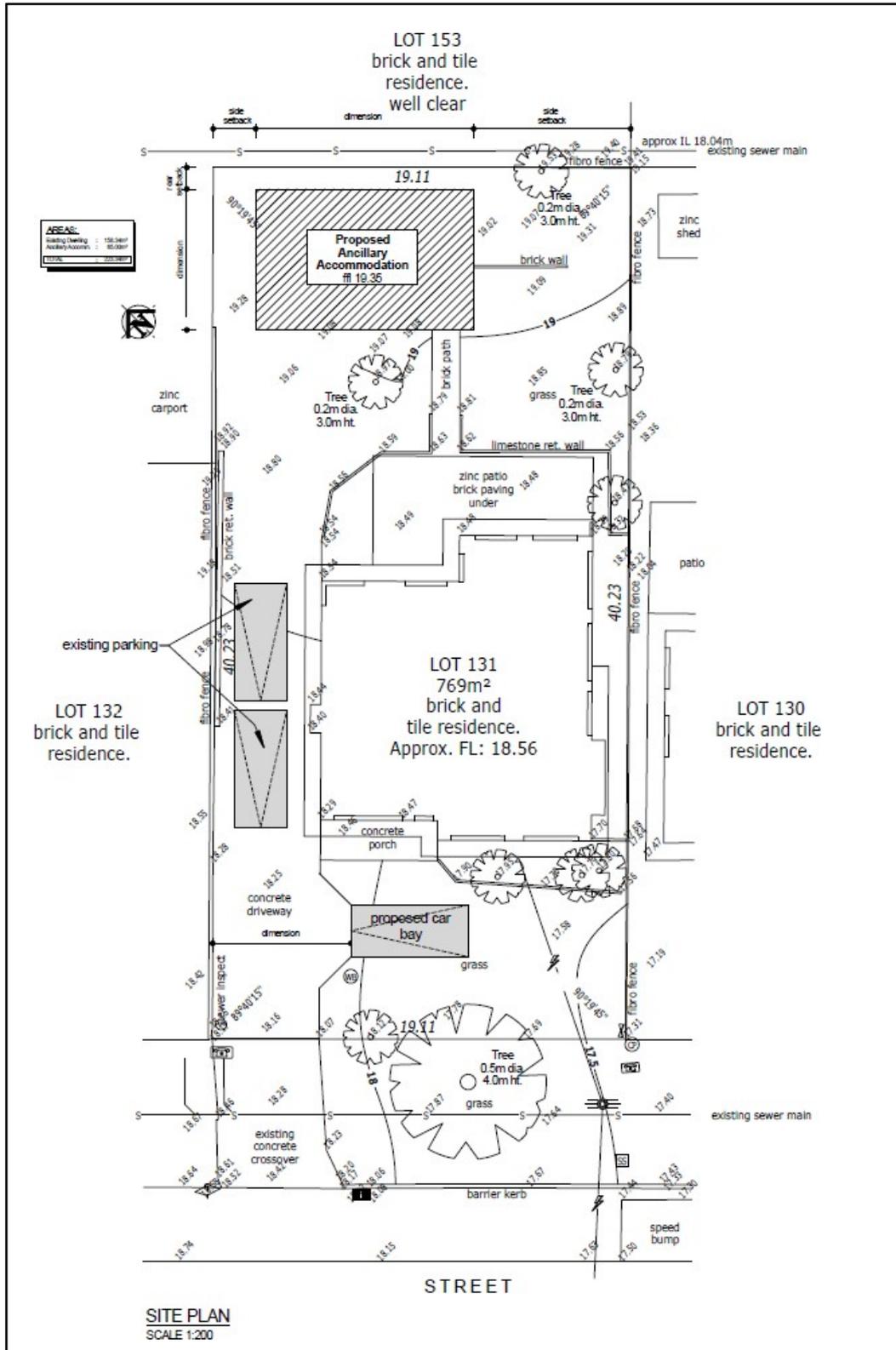
## Can I find out if my Ancillary Dwelling requires Development Approval?

Yes – the City offers a 'Deemed-to-Comply' check service that can confirm whether or not a development application will be required from the City. Further information about the process including fees and application forms can be found [here on the City's website](#).

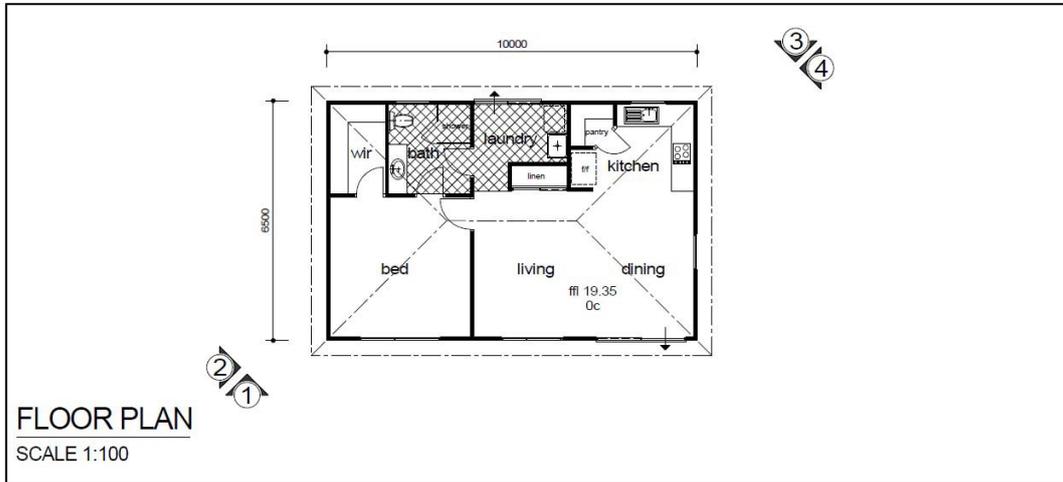
## What information is required for a Planning Application?

- 1) Completed Planning Application Form
  - a) Signed by each owner of the property
- 2) Planning Application Fee
  - a) Please refer to the fee schedule to determine the relevant fee.
- 3) Certificate of Title (within 6 months)
- 4) Site Plan – one copy – Scale 1:200 showing:
  - a) North Point
  - b) Lot boundaries
  - c) Existing dwelling and other structures
  - d) Location of the proposed Ancillary Dwelling in relation to the lot boundaries
  - e) Any changes to the existing ground level / floor level Refer to the example at the end of this document.
- 5) Floor Plans – one copy – Scale 1:100 showing:
  - a) Internal room layouts  
*Refer to the example at the end of this document.*
- 6) Elevation Plans – one copy – Scale 1:100 showing:
  - a) Front, side and rear elevations showing, height, natural ground levels, finished floor levels and height of Ancillary Dwelling.  
*Refer to the example at the end of this document.*
- 7) Additional Information (where applicable)
  - a) Written justification for variations to Deemed-to-comply requirements of the R-Codes
  - b) Materials and roof colour for properties within the Heritage Protection Area.

# Site Plan:



## Floor Plan:



## Elevations:

