

Ancillary Accommodation in the General Rural, Rural Resource, Special Rural and Special Residential Zones Local Planning Policy

Policy Owner: Planning and Development

Distribution: All Employees

Implementation: 13 December 2005 (Item PD01-12/05 Ordinary Council Meeting)

Scheduled Review: December 2007

Objective

1. To provide for a range of criteria that will distinguish Ancillary Accommodation from independent additional dwellings in the City's Rural and Special Residential areas.
2. To provide for a form of housing that accommodates the needs of large or extended families without compromising the amenity and character of the City's Rural and Special Residential areas.

Statement

Under District Planning Scheme No. 2 (DPS2), Ancillary Accommodation is identified as a discretionary 'D' use in the General Rural, Rural Resource, Special Rural and Special Residential Zones. Ancillary Accommodation in these zones help to keep families together, whether it be to house extended families, parents who retire from agricultural pursuits and wish to remain on the their property with the agricultural operation being taken over by the next generation or children wanting their own space and privacy.

Ancillary Accommodation is defined under the Residential Design Codes 2002 (R Codes) as: *"self contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling"*.

As DPS2 does not permit the development of full independent second grouped dwellings in many situations within these zones, it is important for Council to have clear guidelines that distinguish between these two forms of dwellings. In essence, for a particular development to be considered eligible as an Ancillary Accommodation, it must be able to be demonstrated that it is truly related and subordinate to the main dwelling, as opposed to the development being two separate independent dwellings. Detached dwelling extensions which involve more than two habitable rooms or could otherwise be used for the purpose of accommodation, should also be identified as a form of Ancillary Accommodation and therefore made to comply with the provisions of this Policy.

Definitions

Ancillary Accommodation shall have the same meaning as that given in the Residential Design Codes 2002, meaning:

“Self contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling”.

Acceptable Development Provisions:

Notwithstanding the provisions of Clause 4.1.1 of the Residential Design Codes, development that complies with all of the following is deemed to meet the Performance Criteria for Ancillary Accommodation in the General Rural, Rural Resource, Special Rural and Special Residential zones:

1. The Ancillary Accommodation is associated with a Single House, which either exists or will be developed concurrently on the property.
2. The development will not result in more than one Ancillary Accommodation being constructed on the property.
3. Any occupier of the Ancillary Accommodation shall be a member of the family occupying the main dwelling.
4. The Ancillary Accommodation does not exceed 60m² plot ratio area and shall contain a bathroom, kitchen and laundry facilities.
5. The Ancillary Accommodation is located no further than 20 metres from the main dwelling.
6. All services to the Ancillary Accommodation (including driveways, mailing address, water, electricity metres, effluent disposal systems etc) should be shared with the main dwelling.
7. A detached extension to the main dwelling that consists of two (2) or more habitable rooms (as defined by the Building Code of Australia), shall comply with the provisions of this Policy and include a bathroom, kitchen and laundry facilities.

Conditions

To alert prospective landowners of the use restrictions of the Ancillary Accommodation as stipulated in Clause 3 above, a condition should be placed on any approval for Ancillary Accommodation requiring the landowners to place a notification under section 70A of the Transfer of Land Act on the certificate of title for the subject lot in a form acceptable to the City, prior to lodgement of a building licence application.

Responsibility for Implementation

Manager, Development and Health Services