

### What is an Ancillary Dwelling (Granny Flat)?

An 'ancillary dwelling' (more commonly referred to as a 'granny flat'), is a small additional dwelling unit located on the same lot as a single house (with a minimum lot size of 350m<sup>2</sup>), which is used for residential living by another party. Ancillary dwellings may be freestanding or attached to the main dwelling, and no longer have any restriction on who may reside in the dwelling.

Ancillary dwellings cannot be sold independently of the main dwelling, except where subdivision or survey strata approval has been obtained.

### Is Development Approval Required?

Development approval is not required for an ancillary dwelling where the development satisfies the deemed-to-comply requirements of the Residential Design Codes and the subject property is not listed in the State Heritage Register or on the City's Heritage List (under the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 7, clause 61(d)).

Development Approval is required if the development does not satisfy the deemed-to-comply requirements of the Residential Design Codes, and/or the subject property is listed in the State Heritage Register or on the City's Heritage List.

### Lodgement of Applications Online

The City encourages customers to lodge development applications online ([www.belmont.wa.gov.au](http://www.belmont.wa.gov.au), refer Build, How to get Started, Lodge and Track an Application). Guest access is available.

Attachments with a total file size of 100MB can be uploaded. Application fees are paid on lodgment by credit card. Please note the Credit Card Merchant Service Fee will only be charged for credit card transactions of \$100,000 or above. Further information about the online lodgment process can be found in the Planning and Building Application Online Guide.

Minimum required information	Applicant Use Only	Council Use Only
<p><b>One (1) electronic copy of the complete application</b> is required. Electronic plans should be submitted in <b>PDF format</b> and meet the following requirements:</p> <ul style="list-style-type: none"> <li>• unlocked, no security or passwords</li> <li>• to scale</li> <li>• optimised for minimum file size.</li> </ul>		
<p><b>The following information is required:</b></p>		
<ul style="list-style-type: none"> <li>• <b>Application for Development Approval Form</b> completed and signed by <b>all landowners</b> (registered on the certificate of title) of the land; or is accompanied by a letter of authorisation signed by all landowners of the land.</li> </ul>		
<ul style="list-style-type: none"> <li>• MRS Form 1 (only to be used in instances where development is proposed on or abutting land that is Reserved under the Metropolitan Region Scheme).</li> </ul>		

Minimum required information*	Applicant Use Only	Council Use Only
<ul style="list-style-type: none"> <li>Current copy of the <b>Certificate of Title</b> (no older than 6 months). <i>Note: This is required to confirm ownership details and to check for caveats and memorials that may affect the proposed development. Available for purchase from Landgate (<a href="http://www.landgate.wa.gov.au">www.landgate.wa.gov.au</a>).</i></li> </ul>		
<ul style="list-style-type: none"> <li>Correct <b>fee</b> paid – refer to Schedule of Planning Fees</li> </ul>		
<ul style="list-style-type: none"> <li><b>Site Plan</b> drawn to an appropriate scale (e.g. 1:200) detailing car parking, access ways, the location of the existing dwelling and the location of the proposed Ancillary Dwelling.</li> </ul>		
<ul style="list-style-type: none"> <li><b>Front, side and rear elevations</b> of the proposed Ancillary Dwelling drawn to an appropriate scale (e.g. 1:100). <ul style="list-style-type: none"> <li>The plans should also show details of the materials and colours to be used</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>A <b>written submission</b> detailing the proposal and justification for any variations to the deemed-to-comply requirements.</li> </ul>		

## Residential Design Codes

The Residential Design Codes (R-Codes) have been produced by the Western Australian Planning Commission as a State Planning Policy adopted under Part 3 of the *Planning and Development Act 2005* and the provisions apply Statewide.

Under the R-Codes the following definitions are applicable:

Ancillary dwelling: self-contained dwelling on the same lot as a **single house** which may be attached to, integrated with or detached from the single house.

Single house: A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or service and **excludes dwellings on titles with areas held in common property**.

Note: Ancillary dwellings/granny flats are not permitted on survey strata lots where there is common property (eg: a shared driveway).

Please refer to the R-Codes to view the deemed-to-comply requirements.

Note: In order to encourage the construction of liveable dwellings, Council will generally give consideration to applications proposing floor areas of up to 100m<sup>2</sup>, provided the proposal includes a car parking space dedicated to the ancillary dwelling and all other deemed-to-comply requirements are satisfied.

## Building Permit

A building permit application is required to be submitted to the City. The ancillary dwelling will need to meet the safety (structural and fire), health, amenity and sustainability requirements of the Building Code of Australia.

## Gross Rental Value

For information, the construction of an ancillary dwelling increases the Gross Rental Value of the property. The Valuer General's Office is responsible for the amendment of the Gross Rental Value of properties and advises the City's Rates Department accordingly. The Rates Department will then issue an interim rating adjustment.

## **Servicing**

You may need to install new meters or sub-meters for electricity, gas or water, depending on how you plan to rent the ancillary dwelling. You should contact relevant gas and electricity distributors and the Water Corporation to understand the different options available and which one suits you best. You are also likely to need a licensed electrician or plumber to install any new services.

## **Landlords and Tenants Information**

Please contact the Department of Commerce:

Website: [www.commerce.wa.gov.au/ConsumerProtection/](http://www.commerce.wa.gov.au/ConsumerProtection/)

Phone: Consumer Protection Advice Line 1300 30 40 54