

Definition

“Ancillary Dwelling” is defined under the State Planning Policy 7.3 – Residential Design Codes of WA Volume 1 (R-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.’

Frequently asked questions

Do I need Development Approval for an Ancillary Dwelling?

Development approval is **not** required to construct an Ancillary Dwelling on a lot zoned ‘Residential’ if it meets the Deemed-to-Comply criteria of **R-Codes – Clause 5.5.1 Ancillary Dwellings** as follows as provided below:

Ancillary Dwelling associated with a Single House and on the same lot where:

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| | The lot is not less than 350m ² in area |
| | There is a maximum plot ratio area (floor area) of 70m ² |
| | Parking is provided in accordance with Clause 5.3.3 C3.1 (2 for the Single House plus 1 for the Ancillary Dwelling) |
| | Ancillary Dwelling is located behind the street setback line |
| | Ancillary Dwelling is designed to be compatible with the colour, roof pitch and materials of the single house on the same lot |
| | Ancillary does not preclude the single house from meeting the required open space and outdoor living area |
| | Complies with all other R-Code provisions, only as they apply to single houses, with the exception of Clauses; <ul style="list-style-type: none"> a) 5.1.1 Site area; b) 5.2.3 Street Surveillance (except where located on a lot with secondary street or right-of-way access); and c) 5.3.1 Outdoor living areas |

Development Approval is required to construct an Ancillary Dwelling on lots zoned ‘Rural’, ‘Rural Residential’, ‘Priority Agriculture’ and ‘Mixed Use Residential’. Ancillary Dwellings are not permitted in other zones. For more information regarding Ancillary Dwellings for these zones please refer to the Shire of Capel’s Local Planning Policy LPP6.10 - Ancillary Dwellings.

For further information, please contact the Shire’s Duty Planning Officer 9727 0222. Please email the Shire at info@capel.wa.gov.au if you prefer written correspondence.

Bushfire Prone Areas

If the proposed location of the Ancillary Dwelling is located within a bushfire prone area (identified under State Planning Policy 3.7), additional requirements may apply. In accordance with SPP3.7, a

Bushfire Attack Level Assessment is must be prepared by an Accredited Bushfire Practitioner and submitted with the development application.

Can I convert a shed into an Ancillary Dwelling?

To convert an existing shed (outbuilding) to a habitable building (dwelling or detached bedroom or the like), you must be able to demonstrate compliance with the current requirements of the Building Act, including energy efficiency, bushfire, earthquake and wind loadings, and structural adequacy.

Can I use a second-hand or transportable building as an Ancillary Dwelling?

Second-hand Dwellings may be permitted where they are consistent with other provisions of the Local Planning Policy 6.10 - Ancillary Dwellings. Sea Containers or buildings known as 'dongas' will not be permitted for habitable purposes.

Do I need to upgrade the septic system to accommodate the new Ancillary Dwelling?

If the existing residence and the ancillary accommodation combined equates to 6 or more bedrooms, you will need a separate effluent disposal system to service the new dwelling, or an upgrade to the existing septic tank capacity and effluent disposal area will be required.

Applications for septic tanks and effluent disposal systems are to be submitted to and approved by the Shire's Environmental Health Services Department **prior to the issue of a Building Permit** for the Ancillary Dwelling.

Do I need a Building Permit?

Yes. The *Building Act 2011* states that a Building Permit is required for Ancillary Dwellings. You must obtain a Building Permit from the Shire of Capel **before** commencing building work.

Is there anyone else that I should consult with?

The Shire's Development Services, Engineering Services and the Water Corporation should be consulted prior to commencing any works to ensure that there is no impact to the Water Corporation's existing sewer network and the Shire's existing stormwater drainage network.

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