

## LOCAL PLANNING POLICY

### LPP13: ANCILLARY DWELLINGS & WORKERS ACCOMMODATION

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.4136
<i>Resolution Date</i>	27/01/2021
<i>Next Scheduled Review</i>	2023
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

#### OBJECTIVES

- (a) Establish appropriate criteria for the consideration of applications for the development of ancillary dwellings and workers accommodation in areas not subject to the R-Codes.
- (b) Ensure ancillary dwellings and workers accommodation does not compromise the amenity of the surrounding properties and the streetscape.
- (c) Minimise amenity impacts, including vistas from public roads and the primary agricultural functions of land.

#### SCOPE

##### Application

This Policy applies to proposals for ancillary dwellings in the Shire of Northam within the Rural, Rural Residential and Rural Smallholding zones.

Development proposals for ancillary dwellings on lots subject to the R-Codes, are dealt with under the R-Codes.

##### Relationship of this Policy to the Scheme

This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for development approval. However, Council

shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

## **POLICY**

### 1. General Provisions

- 1.1. The ancillary dwelling or workers accommodation must be appropriately located within the approved building envelope for the property (where one exists), or comply with the setbacks required in the Scheme.
- 1.2. The ancillary dwelling or workers accommodation is to be finished with a material of similar colour to the primary dwelling and shall incorporate habitable design elements such as awnings, verandahs and patios.
- 1.3. A sustainable water supply for all occupants shall be demonstrated at the time of application.
- 1.4. One uncovered or covered hardstand car parking bay shall be provided to the ancillary dwelling or workers accommodation.
- 1.5. Ancillary dwellings and workers accommodation shall share the same driveway as the main dwelling unless otherwise required under State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

### 2. Ancillary Dwellings

- 2.1. Not more than one (1) ancillary dwelling shall be approved on any lot.
- 2.2. The maximum floor area of the ancillary dwelling shall not exceed 100m<sup>2</sup>. The 100m<sup>2</sup> is the total living area only and does not include verandahs, patios, pergolas, alfresco areas or carports / garages.
- 2.3. The ancillary dwelling is to be located within 50m to the main dwelling.
- 2.4. The ancillary dwelling should not be located between the street setback and the main residence unless otherwise approved by the local government.
- 2.5. When approving ancillary accommodation dwellings, the local government will provide advice notes, including but not limited to the following:

*“The landowner is advised that approval and construction of the ancillary dwelling shall not be regarded as a basis for subdivision of the property.”*

### 3. Workers Accommodation

- 3.1. Rural workers' accommodation shall not be approved except where the dwelling is associated with an approved and genuine rural use. The Shire must be satisfied in each case that the intentions of the landowner are genuine and the need for the dwelling is capable of being maintained

for a reasonable period of time. Justification as to why the rural workers' dwelling is warranted shall be provided as part of the development application.

3.2. The occupiers of the existing dwelling and proposed rural workers' dwelling are to be employed or engaged in conjunction with the approved rural use.

#### 4. Repurposed or Second-Hand Dwellings

4.1. Proposals for repurposed or second-hand dwellings as ancillary dwellings or for workers accommodation are also the subject of the provisions of LPP3: Transportable, Repurposed and Second Hand Dwellings.

#### 5. Bushfire Prone Areas

5.1. Ancillary dwellings or rural worker's accommodation located in designated bushfire prone areas shall be constructed to AS3959.

5.2. An application for development approval within an identified bushfire prone area must be accompanied by a bushfire attack level assessment prepared by a suitably qualified person.

5.3. In addition to the provision of a sustainable water supply, a minimum of 10,000 litres storage shall be provided for firefighting purposes.