



## ANCILLARY DWELLINGS (GRANNY FLATS)

### What is an Ancillary Dwelling?

Residential Design Codes – Volume 1 (R-Codes) defines an Ancillary Dwelling as: *a self-contained dwelling on the same site as a dwelling which may be attached to, integrated with or detached from the dwelling.*

Ancillary dwellings are also known as ‘Granny Flats’ or ‘Fonzie Flats’. They can be separate buildings or self-contained quarters within a single house or grouped dwelling, such as a second story or separate ground floor wing that has a separate external access.

You can only have one ancillary dwelling per development site.

### How is an Ancillary Dwelling different from a Grouped Dwelling?

A Grouped Dwelling is defined as: *a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling in a strata titles scheme with common property.*

Each grouped dwelling is provided with its own Site, for which a property title may be issued, allowing the property to be sold.

Ancillary dwellings cannot be split from the single house or grouped dwelling to which they are attached, and cannot be sold separately.

### Do I need development approval (planning approval)?

Development approval is not required for ancillary dwellings if they satisfy all of the deemed-to-comply requirements of the City’s Policy No. 7.1.1 Built Form ([Built Form Policy](#)) and the [R-Codes Volume 1](#).

If your ancillary dwelling does not satisfy all of the deemed-to-comply requirements of the Built Form Policy and R-Codes you will need to submit an application for development approval to the City for consideration. Development approval is required for all ancillary dwellings located on properties subject to heritage protection under the State Heritage Register or the City’s Heritage List.

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

The table below outlines the R-Codes deemed-to-comply requirements relating to ancillary dwellings and provides an explanation of how each one should be interpreted and satisfied.

Deemed-to-Comply Requirement	How this is determined / Can be achieved											
<b>Floor Area</b> Ancillary dwellings can have a maximum internal floor area of 70m <sup>2</sup> .	An assessment of the internal floor area is required. Internal floor area means: <i>the internal area measured within the finished surfaces of the walls, and <b>includes</b> the area occupied by any cupboard or other built-in furniture, fixture or fitting but <b>excludes</b> any garages.</i>											
<b>Car Parking</b> Parking is provided in accordance with the R-Codes. Car parking must comply with Australian Standards (dimension of car bays) and manoeuvring.	The number of car bays requires depends on whether your property is assessed under Part B or C of the R Codes Volume 1, and the location of the site. <table border="1" data-bbox="582 1854 1214 1993"> <thead> <tr> <th rowspan="2">Part of R Codes Volume 1:</th> <th colspan="2">Car Parking Spaces</th> </tr> <tr> <th>Location A</th> <th>Location B</th> </tr> </thead> <tbody> <tr> <td>Part B</td> <td>Nil</td> <td>1</td> </tr> <tr> <td>Part C</td> <td>Nil</td> <td>Nil</td> </tr> </tbody> </table>	Part of R Codes Volume 1:	Car Parking Spaces		Location A	Location B	Part B	Nil	1	Part C	Nil	Nil
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	<p>Location A and B are defined as: Location A:</p> <ul style="list-style-type: none"> <li>• 800m <u>walkable catchment</u> of a train station on a high-frequency rail route.</li> <li>• 250m <u>walkable catchment</u> of a transit stop             <ul style="list-style-type: none"> <li>○ On a high-frequency transit route; or</li> <li>○ That has multiple transit routes, that when combined stop every 15 minutes during weekday peak periods (7am – 9am and 5pm – 7pm); or</li> </ul> </li> <li>• The defined boundaries of an activity centre.</li> </ul> <p>Location B: Includes all land that is not within Location A.</p> <p>Any required car parking spaces must be provided on-site. On street parking spaces cannot be used for the purpose of satisfying the R-Codes deemed-to-comply requirements.</p> <p>Please note that separate car parking requirements exist for the principal dwelling, which must be met.</p>																																													
<p><b>Street Setbacks</b> The ancillary dwelling is to be located behind the street setback line.</p>	<p>The ancillary dwelling must not be located between the street boundary and the building line existing single house on site. In other words, the ancillary dwelling must be located behind the line of your main house.</p>																																													
<p><b>Site Cover</b> The ancillary dwelling does not preclude the primary dwelling from meeting the required open space standards</p>	<p>The ancillary dwelling must be designed to allow the overall site to achieve the minimum open space standards of the R Codes as follows:</p> <table border="1" data-bbox="584 1104 1118 1272"> <thead> <tr> <th>Zoning</th> <th>Open Space</th> </tr> </thead> <tbody> <tr> <td>R20/ R25</td> <td>50% of site area</td> </tr> <tr> <td>R30/ R40</td> <td>45% of site area</td> </tr> <tr> <td>R50/ R60</td> <td>40% of site area</td> </tr> <tr> <td>R80</td> <td>30% of site area</td> </tr> </tbody> </table> <p><i>Note different requirements apply for Multiple Dwellings</i></p>	Zoning	Open Space	R20/ R25	50% of site area	R30/ R40	45% of site area	R50/ R60	40% of site area	R80	30% of site area																																			
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<p><b>Outdoor Living Area/Private Open Space</b> The ancillary dwelling must be designed to maintain the principal dwelling’s outdoor living area/ primary garden area/ private open space.</p>	<p>Requirements as follows:</p> <table border="1" data-bbox="584 1339 1485 1637"> <thead> <tr> <th colspan="4">R Codes Volume 1 Part B</th> </tr> <tr> <th>R-Code</th> <th>Minimum outdoor living area (m<sup>2</sup> per dwelling)</th> <th>Minimum uncovered area (m<sup>2</sup>)</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>R20</td> <td>30</td> <td>20</td> <td rowspan="5">4m x 4m</td> </tr> <tr> <td>R25</td> <td>30</td> <td>20</td> </tr> <tr> <td>R30</td> <td>24</td> <td>16</td> </tr> <tr> <td>R35</td> <td>24</td> <td>16</td> </tr> <tr> <td>R40</td> <td>20</td> <td>13.3</td> </tr> </tbody> </table> <table border="1" data-bbox="584 1671 1477 2000"> <thead> <tr> <th colspan="4">R Codes Volume 1 Part C</th> </tr> <tr> <th>Site Area (m<sup>2</sup>)</th> <th>Minimum primary garden area (m<sup>2</sup> per dwelling)</th> <th>Maximum permanent roof cover (m<sup>2</sup>)</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>100 – 130</td> <td>20</td> <td rowspan="2">0m<sup>2</sup> (open to the sky)</td> <td rowspan="5">3m x 3m</td> </tr> <tr> <td>131 – 160</td> <td>25</td> </tr> <tr> <td>161 – 190</td> <td>30</td> <td rowspan="3">1/3 of the provided primary garden area</td> </tr> <tr> <td>191 – 220</td> <td>35</td> </tr> <tr> <td>&gt;220</td> <td>40</td> </tr> </tbody> </table> <p><i>Note different requirements apply for Multiple Dwellings</i></p>	R Codes Volume 1 Part B				R-Code	Minimum outdoor living area (m <sup>2</sup> per dwelling)	Minimum uncovered area (m <sup>2</sup> )	Minimum dimension	R20	30	20	4m x 4m	R25	30	20	R30	24	16	R35	24	16	R40	20	13.3	R Codes Volume 1 Part C				Site Area (m <sup>2</sup> )	Minimum primary garden area (m <sup>2</sup> per dwelling)	Maximum permanent roof cover (m <sup>2</sup> )	Minimum dimension	100 – 130	20	0m <sup>2</sup> (open to the sky)	3m x 3m	131 – 160	25	161 – 190	30	1/3 of the provided primary garden area	191 – 220	35	>220	40
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<p><b>Other Requirements</b> The ancillary dwelling complies with all other R-Code provisions, that apply to single houses and grouped dwellings, with some exceptions including:</p> <ul style="list-style-type: none"> <li>• Site Area;</li> <li>• Outdoor Living Areas/ Primary Garden Area</li> </ul>	<p>In addition to the above, the ancillary dwelling must satisfy the deemed-to-comply requirements of a range of other Clauses of the R-Codes and Built Form Policy including:</p>	
	<p><b>Part B</b></p> <ul style="list-style-type: none"> <li>• Lot Boundary Setbacks</li> <li>• Communal Open Space (where applicable)</li> <li>• Building Height</li> <li>• Garages and Carports</li> <li>• Street Walls and Fences</li> <li>• Sightlines</li> <li>• Landscaping</li> <li>• Vehicle Access</li> <li>• Site Works</li> <li>• Visual Privacy</li> <li>• Overshadowing</li> <li>• External Fixtures, Utilities and Facilities</li> </ul>	<p><b>Part C</b></p> <ul style="list-style-type: none"> <li>• Solar access and natural ventilation</li> <li>• Utilities</li> <li>• Building height</li> <li>• Lot boundary setbacks</li> <li>• Site works and retaining walls</li> <li>• Streetscape (Garages)</li> <li>• Access</li> <li>• Solar access for adjoining sites</li> <li>• Visual privacy</li> </ul>

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

If your Ancillary Dwelling is attached to a Single House, then the City can undertake a Clause 61A 'Deemed-to-Comply' check service that can confirm if development approval is required. Further information about the process including fees and application forms can be found [here](#) on the City's website. If you are unsure if your house is a 'Single House' please review our [information sheet](#).

### I live on a strata-titled lot, can I build an ancillary dwelling on my lot?

Yes, subject to compliance with the R Codes Volume 1. Please note that separate approval may be required under the *Strata Titles Act 1985*.

### How long does the Development Application process take?

The City has 60 days in which to determine the application or 90 days if the application requires community consultation.

Clause 75(c) of the *Planning and Development (Local Planning Schemes) Regulation 2015* states that applications may take longer than 90 days where it is agreed to in writing between the local government and the applicant.

### How long do I have to build my Ancillary Dwelling?

Once a development approval has been issued you have 2 years to commence construction.

### What information do I need to submit to the City for a Development Application?

Please refer to the [Alterations and Additions to Dwellings - Development Application Checklist](#) for a full list of information to be submitted as part of your application for an ancillary dwelling.

All of the City's development approval application forms and checklists can be found on the City's website [here](#).

### Do I need a Building Permit?

Applying for development approval and a building permit are two separate processes, both controlled under different legislation. A building permit ensures that the building is structurally safe and complies with the relevant building legislation. A Building Permit is required for all ancillary dwellings.



If you would like further information on the Building Permit process and requirements, please contact the City on 9273 6000.

## Do you have more questions?

The City is unable to confirm if a proposal will be supported in the absence of a formal development applications. However, applicants can discuss planning proposals and preliminary plans with the City's Urban Planners. Urban Planners can provide general advice to applicants on a proposed development or land use and the information required to lodge a complete application.

A Duty Planner is available to talk to at the City's Administration Office Monday to Friday, 8.30am to 5.00pm, in person or on the phone.

**Phone:** 9273 6000

**Email:** [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)

**Address:** Main Administration Building, 244 Vincent Street, Leederville 6007, WA

***Disclaimer:** This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original planning schemes, relevant development approvals and other relevant documents is recommended for detailed references.*