

**SHIRE OF CHITTERING**

**TOWN PLANNING SCHEME NO. 6**

**Local Planning Policy  
No. 12**

**ADDITIONAL ACCOMMODATION**

**SHIRE OF CHITTERING  
LOCAL PLANNING POLICY No. 12  
ADDITIONAL ACCOMMODATION**

**1. STATUTORY CONTEXT**

The Shire of Chittering, as enabled under Part 2 of Town Planning Scheme (TPS) No. 6, hereby makes this Local Planning Policy regarding Additional Accommodation throughout the Shire of Chittering.

Any Local Planning Policy prepared under this Part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A Local Planning Policy is not part of the Scheme and shall not bind the Local Government in any respect of an application for Planning Approval but the Local Government shall have due regard to the provisions of any Policy and the objectives that the Policy is designed to achieve before making its decision.

This policy applies to all land zoned within the Shire of Chittering and supersedes Statement of Planning Policy No. 12 Additional Accommodation, adopted 20/04/2000.

**2. DEFINITIONS**

*“Additional Accommodation”* means more than one self-contained dwelling unit on the same lot and includes *Ancillary Accommodation*.

*“Ancillary Accommodation”* has the same meaning as is given to it in the Residential Design Codes of Western Australia, October 2002, as amended, and includes a granny flat.

**3. BACKGROUND**

Council has had, over several years, numerous applications for ancillary and/or additional accommodation, in all zones, for various reasons.

Additional accommodation has its origins in urban areas where granny flats were permitted for reasons of family ties and the desire of the family to care for a parent or parents. It was socially more responsible that the family unit should be kept together. This change in care facilities suited both the federal and state governments by reducing the burden of expense of caring for the aged.

In rural areas the needs may be different, for example additional accommodation for workers.

TPS No. 6 controls additional accommodation by way of the following:

*5.7 Dwellings in the Agricultural Resource and Rural residential Zones  
Agricultural Resource Zone*

*Local Government may grant approval to two dwellings on any lot, where the land is managed for agricultural production, tourism, religious or education purposes and where the occupants are engaged in those specified predominant land uses or activities.*

*Rural Residential Zone*

*Only one dwelling will be permitted on any lot, within the designated building*

*envelope as shown on an adopted Detailed Area Plan.  
Local Government may permit ancillary accommodation providing it is located within the building envelope.*

6.3 *Water Prone Area – Ellen Brook Palusplain*

6.3.1 *Land subject to Inundation or flooding are delineated on the Scheme Map. Planning Approval is required for any development within the Special Control Area.*

6.3.2 *Purpose*

- a. *To manage development in areas where there is high risk of inundation so as to protect people and property from undue damage and where there is a potential risk to human health.*
- b. *To preclude development and the use of land which may increase the amount of nutrients from entering the surface and/or sub-surface water systems.*
- c. *To ensure that wetland environmental values and ecological integrity are preserved and mentioned.*

6.4 *Basic Raw Materials*

6.4.3 *Planning Requirements*

*No new dwellings shall be approved within this buffer area.*

6.5 *Military Considerations (RAAF)*

6.5.3 *Planning Requirements*

*The Local Government shall not permit the construction and occupation of more than one dwelling or holiday or other short term accommodation on any one lot within the designated area.*

6.6 *Land refuse*

6.6.2 *Planning Requirements*

*No new dwellings shall be approved within the designated buffer area.*

Schedule 2 of TPS No. 6 allows Ancillary Accommodation as a “D” (discretionary) use in Townsite, Agricultural Resource and Rural Residential zones.

Within the Muchea and Bindoon Townsites there are designated R Coded areas where the Residential Design Codes apply. In these areas ancillary accommodation is controlled by the Residential Design Codes.

#### **4. OBJECTIVES**

The objectives of this policy are:

*To facilitate additional and ancillary accommodation where it is appropriate to do so, throughout the Shire;*

*To maintain the rural character of the Shire;*

*To not prejudice future subdivision.*

**5. POLICY STATEMENT**

Council may permit the construction and occupation of:

5.1 additional accommodation for an employee of the landowner or transient workforce or for tourists in the **Agricultural Resource Zone**, except where:

- a) the lot is less than 4ha;
- b) the accommodation falls within a Water Prone, Basic Raw Materials, Military Considerations or Land Refuse Special Control Area;
- c) the accommodation will detract from the landscape values of the locality as seen from any public road or from any dwelling on adjacent land;

5.2 ancillary accommodation for a member of the family of the primary dwelling in **Agricultural Resource, Townsite and Rural Residential Zones**, in accordance with the following provisions:

- a) the accommodation is limited in size to a maximum of 60m<sup>2</sup>;
- b) the accommodation is connected to the services of the primary dwelling (water, electricity and effluent disposal system);
- c) the accommodation shares the same driveway access as the primary dwelling. No additional property access is permitted;
- d) where a building envelope applies to the lot, the accommodation is contained within the envelope and permitted cleared area.

**ADOPTED FOR PRELIMINARY APPROVAL** by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 7<sup>th</sup> day of September 2005.

**ADOPTED FOR FINAL APPROVAL** by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the First day of February 2005

and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

(signed)

**PRESIDENT**.....

(signed)

**CHIEF EXECUTIVE OFFICER**.....

**Date:** 13 February 2006