



6.1.8 ANCILLARY ACCOMMODATION

Citation

This Local Planning Policy (the Policy) is made pursuant to Part 2 of Schedule 2 Deemed Provisions for Local planning Scheme of the *Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)*.

1. Purpose

- 1.1. The purpose of this Policy is to support the effective provision of accommodation and/or care of aged/dependant persons in a family environment within the Shire of Manjimup.
- 1.2. Ancillary Accommodation, outside of land subject to State Planning Policy 7.3 Residential Design Codes Volume 1 (SPP 7.3), is defined as self-contained living accommodation for an aged or dependant member of the family (or their carer), on the same site as a single dwelling. Ancillary Accommodation may be attached or detached from the main residence.
- 1.3. Council may be prepared to permit the establishment of Ancillary Accommodation within zones other than Residential and Town Centre in accordance with the provisions of this policy.

2. Objectives

2.1. The objectives of this Policy are to:

-) facilitate the effective caring of aged or dependant persons within a family environment;
-) protect the economic viability of the general farming areas and prevent conflict with adjacent land uses; and
-) retain the rural character of the area.

3. Policy Exclusions

3.1. This Policy excludes properties zoned Residential or Town Centre by the Scheme. The development of Ancillary Accommodation in these zonings is to be assessed through SPP 7.3.

4. Assessment

- 4.1. In assessing the suitability of establishing Ancillary Accommodation, Council shall have regard to the dependant nature of the relationship between the parties involved.
- 4.2. Council requires justification for Ancillary Accommodation. Justification may include, but is not limited to, the following:
 - Provision of care for aged or dependant persons;
 - Assistance being required from family members to maintain the viability of general farming practices on site.
- 4.3. Council may also consider dependencies where the persons to reside in the Ancillary Accommodation are to care for the residents of the main dwelling.

4.4. Relationship between the single residence and Ancillary Accommodation

- 4.4.1. To distinguish between Ancillary Accommodation and grouped dwellings, Council shall generally require Ancillary Accommodation to be provided in close proximity to the existing residence, to give the appearance of a development cluster. Common facilities such as use of common driveways, co-location of private open space and necessary outbuildings shall be required.
- 4.4.2. For rural zoned properties:
 - 4.4.2.1. up to 40 hectares the distance between the dwelling and the ancillary accommodation shall be no greater than 20 metres;
 - 4.4.2.2. over 40 hectares the distance between the dwelling and the ancillary accommodation shall be no greater than 50 metres.
- 4.4.3. Council will only be prepared to support a separation of greater than 50 metres where the need for such a separation can be demonstrated i.e. the site characteristics may prevent establishment in close proximity.
- 4.4.4. Approval of Ancillary Accommodation is not to be used as justification for the subdivision or strata titling of the land.

4.5. The size of the proposed Ancillary Accommodation

- 4.5.1. Ancillary Accommodation by its nature is required to be subsidiary to the main dwelling on site. In accordance with this principal, Council generally requires Ancillary Accommodation to be no greater than 75% of the floor area of the main dwelling to a maximum of 100 m².
- 4.5.2. In the case that the aged/dependant person occupies the existing dwelling, Council may permit the Ancillary Accommodation to be a maximum size of 25% greater than the size of the main dwelling.

4.6. Effect on Rural/Agricultural Activities

- 4.6.1. The siting, location and design of Ancillary Accommodation should reflect Council's principal objective within rural zonings, to maintain traditional agriculture practices and the rural landscape. Council is not prepared to approve the establishment of Ancillary Accommodation where such a proposal will conflict with adjacent rural or agricultural activities.

5. Applications Consistent with Policy

- 5.1. Where an Application for Planning Approval is consistent with this Policy and any other requirement of the Scheme or relevant Local Planning Policy, Development Approval under clause 67 of Schedule 2 of the Regulations will be granted under delegated authority to the Chief Executive Officer.

6. Applications Requiring Variation of Policy

- 6.1. Where an Application for Development Approval requires a variation to a provision of this Policy, the variation is to be considered by Council in accordance with clause 5.5 of the Scheme following consultation with neighbouring landowners.

ADOPTED – 8 July 2021
EFFECTIVE – 21 July 2021
NEXT DUE FOR REVIEW – July 2025

The Administration of this Policy is by the Development and Regulation Division.