

ANCILLARY DWELLINGS



Shire of
Pingelly

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1. WHAT IS AN ANCILLARY DWELLING (GRANNY FLAT)?

An ancillary dwelling is commonly known as a granny flat and is a self-contained dwelling on the same site as an existing home. It may be attached to, integrated with, or detached from that home.

2. WHAT CONTROLS APPLY TO ANCILLARY DWELLINGS?

If your property is zoned Residential in the *Shire of Pingelly Local Planning Scheme No. 3*, or is subject to the *Residential Design Codes (R-Codes)*, ancillary dwellings may be exempt from development (planning) approval where they have a maximum internal floor area of 70m², are associated with a single house on a lot and meet other deemed-to-comply requirements in the R-Codes.

Development approval is required from the Shire for an ancillary dwelling in the Rural Residential zone and in the Rural zone. An ancillary dwelling is not permitted in the General Industry zone.

3. WHAT DOES EXEMPT FROM DEVELOPMENT APPROVAL MEAN?

An ancillary dwelling does not need development (planning) approval if it meets all the relevant deemed-to-comply requirements including not exceeding 70m² and meeting the setback requirements within the R-Codes and in *Local Planning Scheme No. 3* for your property.

4. SUMMARY OF CONTROLS

Zone	Is development approval required?	Max internal floor area (m ²)	Other requirements
Residential	No, subject to complying with deemed-to-comply provisions in the R-Codes.	70m ²	Development proposing dongas and second-hand materials will require development approval as these are considered a repurposed dwelling.
Commercial	No, subject to complying with deemed-to-comply provisions in the R-Codes.	70m ²	As above
Mixed Use	No, subject to complying with deemed-to-comply provisions in the R-Codes.	70m ²	As above
Rural Residential	Yes	100m ²	Is co-located with the single house and constructed to a standard that ensures the visual amenity of the area is not adversely impacted.
Rural	Yes	100m ²	As above. Additionally, there are adequate separation distances to allow farming to continue on neighbouring land. The lot is required to be at least 40 hectares in area and not contain (two or more) existing dwellings on the lot.
General Industry	An ancillary dwelling is not permitted in the General Industry zone.	N/A	N/A

5. WHO CAN LIVE IN AN ANCILLARY DWELLING?

Anyone can live in an ancillary dwelling, including a relative, friend or someone unknown to you. If required, it can be subject to a rental agreement between the landowner and the tenant.

6. BUILDING PERMIT

All ancillary dwellings require obtaining a Building Permit from the Shire and complying with the *National Construction Code*.

7. IMPORTANT LINKS

Shire of Pingelly Local Planning Scheme No. 3 at [Shire of Pingelly planning information](#)
Residential Design Codes at [R-Codes Volume 1 2024 Mar2024](#)