

Granny Flat

(Laidley Planning Scheme Area)

Please Note: This fact sheet is only applicable to those properties located within the Laidley Planning Scheme Area. Please use Council's [ePlan](#) to determine your properties applicable planning scheme.

What is a Granny Flat?

A granny flat is defined in the Laidley Planning Scheme as an “**Apartment**” – means the use of any premises, annexed to a dwelling house in an integrated fashion, as accommodation for physically or mentally disabled persons or aged persons. The term does not include an accommodation unit, caretaker housing or a multiple dwelling.

Do I need planning approval to build a Granny Flat?

An Apartment is accepted development (no planning approval required) if it complies with the acceptable solutions of the applicable codes (see page 3). Otherwise a code assessable Material Change of Use application is required.

The requirements of the Planning Scheme are **ADDITIONAL** to the requirements contained in the Building Code of Australia. This information sheet does not detail the requirements of the Building Code of Australia. You must seek the assistance of a qualified building designer to prepare plans for the construction of any building. The qualified building designer will incorporate the necessary requirements to ensure your building complies with the Building Code of Australia.

What type of assessment?

For an Apartment application to be considered accepted development it must comply with the acceptable solutions of the following codes:

- Building Dimensions Code; and
- Residential Uses Code.

If the Apartment does not comply with the above codes it will be subject to code assessment and be required to be lodged to Council.

Note - If your property is affected by an overlay it may trigger a code assessable Material Change of Use application.

The checklist attached to this fact sheet outlines the requirements of the codes requiring compliance for accepted development **ONLY**.

How can I find out the zone and overlays for my land?

Council's [ePlan](#) can be used to determine the zone of your land and identify any overlays applicable to your property. ▶

Fees & Charges 2018/2019

Application Fee: **\$1,310.00**
(Fee valid to 30 June 2019)

Need further information?

This fact sheet is designed to be a guide to the planning scheme and application process. It does not constitute all details within the planning scheme. Additional information can be obtained from the Laidley Shire Planning Scheme. If you require further specific information please contact Council's Customer Service on 1300 005 872.

Please note this fact sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy please see Council's website to ensure you have the latest version. ■

How will my application be assessed?

The application for an Apartment will be assessed against the following sections of the Laidley Planning Scheme:

- Building Dimensions Code
- On-Site Effluent Disposal Code (not applicable for properties in Urban Residential Zone)
- Area code applicable to your property
- Residential Uses Code.

If your property is affected by an overlay, the application will also require assessment against the relevant overlay code in Part 6 Division 2 of the Planning Scheme or TLPI Flood Inundation Overlay.

In your code assessable application to council you must address the above codes that are applicable to your development and property.

It is recommended that you engage an appropriately qualified consultant with knowledge of the *Planning Act 2016* to assist you to prepare your application.

How do I make an application?

For information please read Council's [Application](#) webpage.

What other approvals do I need?

- Development Permit for [Building Work](#)
- Development Permit for [Plumbing and Drainage](#)

There may be additional approvals required beyond what is listed above. ■

For Accepted Development:

PLANNING SCHEME REQUIREMENTS		COMPLIES ✓/✗/NA																						
RESIDENTIAL USES CODE																								
AO16.1	Maximum size for an Apartment is 50m ² .																							
AO16.2	Where such accommodation is provided, either above or below the main habitable dwelling, a covered staircase is provided to connect both accommodation units of the dwelling																							
AO16.3	Where such accommodation is not situated directly under or above the dwelling, the primary dwelling and the apartment comply with the following requirements either (a) or (b):																							
	(a) Where there is no common external wall; <ul style="list-style-type: none"> (i) Maximum separation of adjacent external walls is three (3) metres; (ii) A common roof is provided connecting the primary dwelling and the apartment, and such a roof extends the full width of the secondary habitable dwelling and provides full cover for the direct access required; (iii) Direct access is provided between the two habitable sections of the dwelling. 																							
	OR																							
	(b) Where the habitable dwelling units have a common wall, direct access is provided between the two habitable units through an opening in the common wall.																							
BUILDING DIMENSIONS CODE																								
AO1.1	The maximum height of a new building, structure or object, above the natural surface level at any given point, does not exceed these requirements: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Zone</th> <th>Height (metres)</th> </tr> </thead> <tbody> <tr> <td>Rural Upland</td> <td>10</td> </tr> <tr> <td>Rural Landscape</td> <td>10</td> </tr> <tr> <td>Good Quality Agricultural Land</td> <td>10</td> </tr> <tr> <td>Rural Residential</td> <td>8</td> </tr> <tr> <td>Urban Residential</td> <td>8</td> </tr> <tr> <td>Business</td> <td>10</td> </tr> <tr> <td>Village</td> <td>8</td> </tr> <tr> <td>Industrial</td> <td>10</td> </tr> <tr> <td>Residential Expansion</td> <td>8</td> </tr> <tr> <td>All Other Zones</td> <td>8</td> </tr> </tbody> </table>	Zone	Height (metres)	Rural Upland	10	Rural Landscape	10	Good Quality Agricultural Land	10	Rural Residential	8	Urban Residential	8	Business	10	Village	8	Industrial	10	Residential Expansion	8	All Other Zones	8	
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If all applicable boxes have a ✓, no planning approval is required (ensure no overlays trigger an application).

If any boxes have a ✗, planning approval is required (consult a suitably qualified consultant or Council for more information).