

Local Planning Policy – 9.3 – Caretakers and Ancillary Dwellings

1. Citation

This Local Planning Policy is prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2. Introduction

Caretakers and ancillary dwellings provide potential to improve site management, security of businesses and affordability/flexibility for industry, tourism and rural properties.

This policy seeks to provide guidance on the siting and form of caretakers and ancillary dwellings, to ensure a balance between commercial realities and potential land use conflicts and low amenity outcomes resulting from living in locations never intended or designed for residential living.

The policy seeks to consider:

- Risk levels to exposing “residents” to emissions of dust, odour, noise and vibration
- Access to traditional residential amenities such as open space and cultural facilities
- Viability of small businesses in remote areas
- Impacts on key infrastructure development associated with ports, railways and service corridors.

2.1 Definitions

For the purpose of this policy, the following definitions apply:

Caretakers Dwelling

“a dwelling on the same site as a building, operation or plant, and occupied by a supervisor of that building, operation or plant.”

Ancillary Dwelling

“A self contained dwelling on the same site as a dwelling which may may be attached to, integrated with or detached from the dwelling.”

3. Objective

1. To provide for an affordable housing option for a site supervisor or caretaker without compromising the productive capacity of the predominant land use, landscape character, environmental attributes or amenity of the area.
2. To ensure caretakers and ancillary dwellings are ancillary to the primary use of land and do not constrain the predominant land use.

4. Application

This Policy applies to all caretaker's dwelling and ancillary dwellings on land zoned "Rural", "Service Commercial", "Tourism" and "General Industry".

4.1 Exemptions

Development approval is not required for the following:

- a) One caretaker or ancillary dwelling is proposed incidental to the predominant building or dwelling; and
- b) The caretaker and ancillary dwelling has a maximum floor area of 100m² and is less than 20% of the floor area of the building associated with the predominant land use
- c) The caretaker or ancillary dwelling are positioned behind or next to the predominant building, is screened and not visible to the street and neighbouring properties.
- d) The caretaker or ancillary dwelling is consistent with a Structure Plan or Local Development Plan.

5. Policy Provisions

- 5.1 A "caretakers dwelling" and "ancillary dwelling" is required to meet the following policy provisions:
 - a) A maximum of one caretaker or ancillary dwelling on any one lot.
 - b) A Caretaker's Dwelling and Ancillary Dwelling must be incidental to an approved and established 'industrial', 'rural' or 'tourist' development.
 - c) A Caretaker's Dwelling shall at all times be directly associated with an approved use on the site.
 - d) The Caretakers and Ancillary Dwelling may only be occupied by the owner, operator or an employee and immediate family of the industrial or other approved use on the lot.
 - e) Caravans or mobile homes are not acceptable as temporary or permanent Caretakers or Ancillary Dwellings unless affixed to the ground.

- f) The total floor area of the Caretakers or Ancillary Dwelling, measured from the external face of walls, shall be limited to a maximum of 100 square metres.
 - g) Incidental residential development such as carports, open verandahs, swimming pools, and the like will be permitted on the basis that the total area of the lot set aside for residential purposes (including the Caretaker's Dwelling, gardens, swimming pool, outbuildings and the like) does not exceed 10 percent of the total lot area.
 - h) A Caretakers and Ancillary Dwelling will only be considered on lots that have a site area of 2000m² or more.
 - i) A Caretakers or Ancillary Dwelling must be constructed to a habitable standard.
 - j) A Caretakers or Ancillary Dwelling are to have access to amenities to support a good quality of living, including a covered outdoor seating area
 - k) Colours and materials are to complement the colours and materials of the predominant building or main dwelling on the lot.
- 5.2 The Shire may impose and where it is not the decision maker may recommend, conditions of approval for any applications under this Policy to achieve the objectives of this Policy, including but not limited to:
- a) Include a notice on title regarding potential impacts from noise, dust, odour or amenity that may arise from the location.
 - b) Includes features that matches the main buildings on the site, including at least three of the following elements:
 - (a) Roof and/or wall Colour
 - (b) Roof and/or materials
 - (c) Entrance and/or window treatments
 - (d) Awnings/patio and shade structures
 - (e) Landscaping
- 5.3 The Shire may opt to vary the provisions of this Policy where in the Shire's opinion the application:
- a) Is consistent with the objectives of this Policy; or
 - b) Will not compromise the orderly and proper planning of the area.
- 5.4 The Shire may refuse or recommend refusal of applications for development approval for caretakers and ancillary dwellings where in the opinion of the Shire the application:

- a) Is inconsistent with the objectives of this Policy; or
- b) Will compromise the orderly and proper planning of the area; or
- c) Will result in adverse amenity impacts to the streetscape, neighbouring properties or the inhabitants.

6. Relevant policies/documents

Nil

7. Relevant legislation/local laws

[Planning and Development Act 2005](#)

[Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

[Shire of Ashburton Local Planning Scheme 8](#)

Responsible Business Unit/s	All
Responsible Officer	Coordinator Planning and Lands
Affected Business Unit/s	All

Document Control		
Previous Policy Title:		Next Review Date:
Date Previous Policy Revoked:		
Document Reference #:		
Ver	Date of Council Adoption/ Amendment and Council Decision #	Brief Details of Amendments
1.		N/A
2.		
3.		
4.		
5.		
6.		
WAPC Approval Required <i>If yes, include a brief reason (refer to clause 4(3A) of the Regulations).</i>		WAPC Approval Date (if applicable)