

BUILDING INFORMATION SHEET

ANCILLARY DWELLING (GRANNY FLAT)

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Definition

Ancillary Dwelling

An ancillary dwelling, also known as a granny flat (Class 1a), is a self-contained secondary housing unit on a residential site that is additional to the main dwelling. Ancillary dwellings are typically smaller in size and can be either attached to, integrated within or detached from the main residence.

Ancillary dwellings may require development approval if they do not comply with the deemed-to-comply provisions of the [Residential Design Codes \(R-Codes\)](#) for Residential Zones or the Local Planning Scheme No.2 requirements for other zones.

For all other zones, please contact the [Shire's Planning Department](#) to confirm whether development approval is required.

Frequently Asked Questions

Is a Building Permit required for an ancillary dwelling?

Yes. All ancillary dwellings require a Building Permit. You can lodge a Building Permit Application for an ancillary dwelling after Development Approval (if required) and Septic System Approval (if required) has been granted.

To find out if these applications are required, please email the Shire of Harvey: shire@harvey.wa.gov.au or telephone 08 9729 0300.

Can I build an ancillary dwelling as an owner-builder?

Yes. Owner-builders are permitted to construct ancillary dwellings.

- If the value of construction exceeds \$20,000, you must apply to the Building and Energy Division of the Department of Local Government, Industry Regulation and Safety (LGIRS): [LGIRS Forms](#) for an Owner-Builder Certificate.
- A Building Permit cannot be issued for works valued over \$20,000 unless an Owner-Builder Certificate has been received or a registered builder has been contracted to carry out the work.

For more information, please visit the [Department of Local Government, Industry Regulation and Safety \(LGIS\)](#) website, which outlines:

- The owner-builder approval process, and
- When a registered builder is required.

How long will my Building Permit application take to process?

Provided all required documentation is submitted and no further information is requested:

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- Certified Applications (BA1): Processed within 10 working days from the date of lodgement.
- Uncertified Applications (BA2): Processed within 25 working days from the date of lodgement.

If additional information is requested, applicants will be notified and required to provide the information before the application can be determined.

What is the maximum size and height of ancillary dwelling I can have?

- In a Residential zone, the R-Codes permits an ancillary dwelling to have a maximum area of 70m² excluding verandahs and garages/carports.
- In a Rural or Priority Agriculture Zones: The Local Planning Scheme No. 2 permits an ancillary dwelling to have a maximum area of 120m² excluding verandahs and garages/carports.

Please contact the [Shire's Planning Department](#) for further clarification.

What are the required setbacks for an ancillary dwelling?

Residential Properties

- Ancillary dwellings are not generally permitted within the front setback area (front yard).
- The minimum front setback distance is determined by the primary street setback listed under Column 7, Table B of the [Residential Design Codes \(R-Codes\)](#).
- On corner properties (Secondary Street boundary), an ancillary Dwelling must be set back in accordance with Column 7, Table B of the [Residential Design Codes \(R-Codes\)](#) for the relevant density coding.
- Side and rear setbacks must comply with Table 2a of the R-Codes, calculated based on wall length and height.

If you wish to propose setbacks less than the above, you must apply to the [Shire's Planning Department](#) for a setback variation.

Additional fees will apply in accordance with the [Planning Fees and Charges](#) schedule.

Fire Separation Requirements

- All Class 1a ancillary dwellings must comply with Part 9 of the ABCB Housing Provisions of the *National Construction Code Series 2022 – Building Code of Australia (Volume 2 – Amendment 2)*. [NCC 2022 Volume Two and ABCB Housing Provisions Standard](#)
- For more information, please contact the [Shire of Harvey's Building Department](#).

Bushfire Requirements

Construction in bushfire-prone areas in WA requires compliance with the Building Code of Australia and the relevant Australian Standard 3959 "Construction of Buildings in Bushfire Prone Areas" (AS3959).

Bushfire-prone areas are lands likely to be affected by bushfires due to surrounding vegetation. These areas are formally designated by the Fire and Emergency Services Commissioner under Section 18P of the Fire and Emergency Services Act 1998 and are shown on the Map of Bushfire Prone Areas maintained by DFES

See attached link to confirm if your property is in a bushfire prone area [Map of Bush Fire Prone Areas](#)

A Bushfire Attack Level (BAL) report will be required by an accredited BAL assessors to determine the relevant BAL for the proposed structure on the property. The Fire Protection Association Australia provides a list of accredited assessors.

See attached link for accredited Bushfire Assessors:

https://www.fpaa.com.au/Web/Web/Registers/BPAD_register.aspx

The assessed BAL will establish the construction requirements applicable to the proposed structure in accordance with AS 3959.

For more information, please contact the [Shire of Harvey's Building Department](#).

Rural Residential Zone

- Front and Rear Boundaries: Minimum 20 metres setback.
- Side Boundaries: Minimum 10 metres setback.

To vary these setbacks, a [Development Application](#) must be approved by the Shire's Planning team prior to assessment of the Building Permit application.

Rural and Priority Agriculture Zones

- All Boundaries: Minimum 20 metres setback.

To vary these setbacks, a [Development Application](#) to be approved by the Shire's Planning Team before a Building Permit application can be assessed.

Other Zones

For properties located in zones not listed above, please contact the [Shire's Planning Department](#) for advice on applicable setback and approval requirements.

Building Permit Application

For a complete list of required documents and forms to accompany a Building Permit application, please refer to [Building Applications Forms and Checklists](#)

Disclaimer

This information sheet is provided as generalised information. While the Shire of Harvey aims to keep the content of this document current and accurate, the Shire accepts no responsibility or warranties for actions taken based on the information provided.

The Shire of Harvey encourages you to seek professional advice before acting on any information contained in this document.

Please contact the [Shire of Harvey](#) if you have any questions.

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