

Granny flats



Planning &
Environment

General information

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The NSW Government supports the development of secondary dwellings/granny flats, through the State Environmental Planning Policy (Affordable Rental Housing) 2009 or AHSEPP.

Granny flats can add value and flexibility to your home.

WHAT IS A SECONDARY DWELLING?

A secondary dwelling/ granny flat, is a self-contained dwelling which is:

- (a) established in conjunction with another dwelling (the principal dwelling),
- (b) on the same lot of land as the principal dwelling (and not an individual lot in a strata plan or community title scheme); and
- (c) may be within, attached to, or separate from the principal dwelling.

WHAT IS THE ASSESSMENT PROCESS?

The approval for the addition of a granny flat to a property can be processed in one of two ways:

1. COMPLYING DEVELOPMENT

- A granny flat may be approved within 20 days by a council or accredited certifier as long as it meets the complying development provisions listed in Schedule 1 of the AHSEPP.
- Under this process, the certifying authority is required to notify neighbours of an application 14 days prior to approval.
- Once the Complying Development Certificate has been issued the owner will need to notify neighbours 7 days prior to any work commencing.
- A list of accredited certifiers can be found at www.bpb.nsw.gov.au.

2. DEVELOPMENT APPLICATION

- If the granny flat does not meet the complying development provisions in the AHSEPP, a development application may be lodged with your local council
- Your local council will assess and determine the proposal in accordance with the AHSEPP and any additional relevant council policies.

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- Granny flats are permitted in the following development zones that will be in your local council's LEP:
 - Zone R1 General Residential
 - Zone R2 Low Density Residential
 - Zone R3 Medium Density Residential
 - Zone R4 High Density Residential
 - Zone R5 Large Lot Residential (via development application only)
 - Equivalent zones for the local council area. A guide to the equivalent zones is at: <http://www.planning.nsw.gov.au/equivalentzones>

OVERVIEW OF THE MINIMUM CONTROLS OUTLINED IN THE AHSEPP

*Note this is a general guide only and it is advised that if you are considering building a secondary dwelling that you review the provisions contained in the AHSEPP.

1. ONE PRINCIPAL DWELLING, ONE SECONDARY DWELLING

- The development of a granny flat can only result in there being one principal dwelling and one secondary dwelling on the site.

Subdivision is not permitted.

2. TOTAL FLOOR AREA

- The maximum floor area for the granny flat is 60 square metres.
- If the granny flat is approved through complying development, details for the maximum floor area for granny flat are contained in [Schedule 1 of the AHSEPP](#).
- If the granny flat is approved through the development application process, the maximum floor area of a granny flat can be no greater than that permitted by the local council for that zone.

3. SITE AREA

- The site that the granny flat is to be built upon must be minimum of 450 square metres.

4. BUILDING CODE OF AUSTRALIA (BCA)

- All relevant requirements within the BCA apply.
- Some granny flats may result in a change in building classification under the BCA.
- Depending on the configuration of the dwellings, principal dwellings and granny flats will be classified as class 1a or class 2. For example, if any part of the granny flat is built

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above or below the principal dwelling, the building containing both dwellings will be classified as Class 2 under the BCA.

- The BCA can be found at www.abcb.gov.au/the-building-code-of-australia

5. PARKING

- Additional parking onsite is not a reason for a consent authority to refuse an application.

6. COUNCIL CONTROLS

- Any relevant council policy that applies to secondary dwellings will continue to apply.

7. DESIGN OPTIONS

- Any of these options may require the lodgement of a development application with the local council.

Option: Conversion	Option: Attached	Option: Detached
<p>The conversion of part of the principal dwelling, structure or garage into a secondary dwelling.</p>	<p>A granny flat can be built as an extension, or as alterations or additions to your principal dwelling.</p>	<p>A granny flat can be built as a separate structure, detached from the principal dwelling.</p>

FOR MORE INFORMATION ON GRANNY FLATS YOU CAN

- Refer to the *State Environmental Planning Policy (Affordable Rental Housing) 2009* or fact sheets which be found on the department's website at www.planning.nsw.gov.au/affordablehousing
- Call (02) 9228 6111, or email housingpolicy@planning.nsw.gov.au.