

6.1.21 Ancillary Accommodation for Aged/Dependant Persons

The Shire of Manjimup supports the effective provision of accommodation and/or care of aged/dependant persons in a family environment within the municipality. The inability for families to care for aged and/or dependant persons will otherwise result in additional costs to the community in providing further institutions for this purpose.

Ancillary Accommodation is defined as self-contained living accommodation for an aged or dependant member of the family, on the same site as a single dwelling. Ancillary Accommodation may be attached or detached from the main residence.

Council may be prepared to permit the establishment of Ancillary Accommodation within the Rural, Special Rural, Special Residential and Residential Zones, in accordance with the provisions of this policy.

Objectives

- a) To facilitate the effective caring of aged or dependant persons within a family environment;
- b) Within the Rural Zone, Council aims to protect the economic viability of the general farming areas and prevent conflict with adjacent land uses;
- c) To retain the rural character of the area.

Assessment

In assessing the suitability of establishing Ancillary Accommodation, Council shall have regard to the following:

- a) In determining any application for Ancillary Accommodation, Council shall have regard to the objectives of the policy.
- b) The dependant nature of the relationship between the parties involved.
Council requires justification for Ancillary Accommodation. Justification may include, but is not limited to, the following:
 - Provision of care for aged or dependant persons;
 - Assistance being required from family members to maintain the viability of general farming practices on site.

Council may also consider dependencies where the persons to reside in the Ancillary Accommodation are to care for the residents of the main dwelling.

- c) The ongoing need for provision of Ancillary Accommodation on the site:
Unless otherwise approved by Council, Ancillary Accommodation shall be transportable and removed from the site at expiration of its need, in accordance with the direction of Council.

Council may be prepared to consider provision of permanent Ancillary Accommodation where proposed as an extension to the single dwelling. Where proposed as an extension, Council shall require the

proposal to comply with the definition of a single dwelling ie the two shall not be totally independent.

- d) Relationship between the single residence and Ancillary Accommodation:

To distinguish between Ancillary Accommodation and grouped dwellings, Council shall generally require Ancillary Accommodation to be provided in close proximity to the existing residence, to give the appearance of one development. Common facilities such as use of common driveways, co-location of private open space and necessary outbuildings shall be required.

Council will only be prepared to support a separation of greater than 50 metres where the need for such a separation can be demonstrated ie the site characteristics may prevent establishment in close proximity.

- e) The size of the proposed Ancillary Accommodation:

Ancillary Accommodation by its nature is required to be subsidiary to the main dwelling on site. In accordance with this principal, Council generally requires Ancillary Accommodation to be no greater than 75% of the floor area of the main dwelling.

In the case that the aged/dependant person occupies the existing dwelling, Council may permit the Ancillary Accommodation to be a maximum size of 25% greater than the size of the main dwelling.

- f) Effect on Rural/Agricultural Activities:

The siting, location and design of Ancillary Accommodation should reflect Council's principal objective within the Rural Zone, to maintain traditional agriculture practices and the rural landscape. Council is not prepared to approve the establishment of Ancillary Accommodation where such a proposal will conflict with adjacent rural or agricultural activities.

- g) Compliance with Residential Planning Codes of Western Australia:

Within the Residential Zone Council is prepared to entertain proposals for Ancillary Accommodation in accordance with the provisions of the Residential Planning Codes of WA.

Conditions of Approval

Conditions will be applied to approvals as deemed necessary. Without limiting the generality of Council discretion, approvals are to contain the following conditions:

1. Upon vacation of the Ancillary Accommodation by the occupant, the dwelling is to be removed and the site rehabilitated to the specification and satisfaction of Council.
2. Where approval to temporary Ancillary Accommodation is to be given Council shall require the owner/applicant to provide a statutory declaration agreeing to the proposed conditions of approval.

3. Where approval to permanent Ancillary Accommodation is granted, Council will require the applicant to enter into a deed of agreement regarding the occupancy of Accommodation, to be prepared at the applicant's cost.
4. Approval to Ancillary Accommodation is not to be used as justification for subdivision or strata titling of the land.

**REVIEWED AND ADOPTED 12 DECEMBER 1996
RENUMBERED 23 OCTOBER 2003**

**The Administration of this policy has been delegated by the Chief
Executive Officer to:**