

DEVELOPMENT ASSESSMENT INFORMATION

(Laidley Shire Planning Scheme 2003)

Please Note: This fact sheet applies to land located in the former Laidley Shire Local Government Area, and therefore subject to the *Laidley Shire Planning Scheme 2003*. Please use Council's [ePlan](#) to determine which Planning Scheme is applicable to your land.

What is an Apartment?

An Apartment is defined in the Laidley Planning Scheme as:

The use of any premises in conjunction with a dwelling house on the same lot, as accommodation for physically or mentally disabled persons or aged persons or the carers thereof. The term does not include an accommodation unit, caretaker housing or a multiple dwelling.

Granny flats are common examples of Apartments.

Do I need planning approval to build an Apartment?

An Apartment is Accepted development (i.e. no planning approval required) if:

- (a) The land is **NOT** located in the Business, Community purpose, Industrial or Open space and reserve area; and
- (b) The Acceptable solutions of the applicable codes will be met (see the checklist on Page 3).

The following codes of the Planning Scheme are the applicable codes for Apartments:

- Residential Uses Codes;
- Building Dimensions Code;
- On-Site Effluent Disposal Code¹.

If you cannot meet the Acceptable solutions of the applicable codes, you will need to submit an application to Council for a Code assessable Material change of use.

If your land is affected by an overlay, you may need to submit an application to Council for a Code assessable Material Change of Use application, even if the Apartment is Accepted development.

If your land is in one of the following areas, you will need to submit an application to Council for an Impact assessable Material Change of Use:

- Business area
- Community purposes area
- Industrial area
- Open space and reserve area

Note - 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.

The checklist attached to this fact sheet outlines the requirements for Accepted development **ONLY**.

¹Not applicable to Urban Residential Area

Fees & Charges

Refer to Council's website for the current Fees & Charges.

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

Council's [ePlan](#) can be used to determine which area your land is included in, and identify any overlays applicable to your land.

How will my application be assessed if it is Code assessable?

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

- Building Dimensions Code;
- On-Site Effluent Disposal Code (not applicable in the Urban Residential area);
- The area code applicable to your property;
- Residential Uses Code; and
- Any applicable overlay code/s.

If your land 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. If your land is within a flood prone area, you will also need to meet the requirements of Temporary Local Planning Instrument 2020 (Flood Regulation).

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

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. A fact sheet on Application Requirements & Processing is available.

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.

Granny Flat (Laidley)

For Accepted Development:

PLANNING SCHEME REQUIREMENTS		COMPLIES ✓/✘/NA																		
RESIDENTIAL USES CODE																				
AO16.1	The Apartment is part of the primary dwelling house, or where it is provided as a separate building, is no more than 20 metres from the primary dwelling house.																			
AO16.2	The gross floor area of the Apartment does not exceed the lesser of two-thirds of the area of the dwelling house or 100m ² .																			
AO16.3	The Apartment has no more than two bedrooms.																			
AO16.4	Materials used to construct the Apartment are consistent with or complementary to those used in the primary dwelling house.																			
AO16.5	Vehicle access to the Apartment is by means of the same driveway that services the primary dwelling house.																			
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" data-bbox="427 1048 1061 1384"> <thead> <tr> <th>Area</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>Village</td> <td>8</td> </tr> <tr> <td>Residential Expansion</td> <td>8</td> </tr> <tr> <td>All Other Areas</td> <td>8</td> </tr> </tbody> </table>	Area	Height (metres)	Rural Upland	10	Rural Landscape	10	Good Quality Agricultural Land	10	Rural Residential	8	Urban Residential	8	Village	8	Residential Expansion	8	All Other Areas	8	
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AO1.2	The gross floor area of any dwelling house is not less than 60m ² .																			
ON-SITE EFFLUENT DISPOSAL CODE¹																				
AO1.1	The proposed disposal system complies with the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> , and AS 1547:2000; and																			
AO2.1	The lot has a minimum size of 2000m ² or has the 'minimum lot size' specified for the relevant area in Table 7 of the Reconfiguring a Lot Code, whichever is the greater; and																			
AO2.2.	The proposed on-site effluent disposal system is located on land above the Q20 flood levels.																			

If all applicable boxes have a ✓, no planning approval is required (subject to the site not being mapped under an overlay of the *Laidley Shire Planning Scheme 2003* that triggers an application).

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