

# Small Second Dwellings – Latrobe Planning Scheme

A small second dwelling (SSD) is defined (at Clause 73.03 of the Latrobe Planning Scheme) as:

*A building with a gross floor area of 60 square metres or less, on the same lot as an existing dwelling and used as a self-contained residence, which must include:*

- a) a kitchen sink;*
- b) food preparation facilities;*
- c) a bath or shower; and*
- d) a toilet and wash basin.*

The Victorian Government has made it easier to build a small second home in residential and rural areas across Victoria – giving families more housing choice and boosting housing supply.

## Requirements for a Small Second Dwelling

<b>Size limit</b>	Have a gross floor area of 60m <sup>2</sup> or less.  (includes the total floor area of the small second dwelling, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.)
<b>Occupancy</b>	Anyone can live in it or rent it out
<b>Number</b>	Must be only one small second dwelling on a lot
<b>Car Parking</b>	No car parking spaces required
<b>Subdivision</b>	Must be on the same lot as an existing home and must not be subdivided from the main home
<b>Gas Connection</b>	Must not be connected to a reticulated natural gas supply
<b>Garden Area</b>	If the SSD is in the General Residential Zone or Neighborhood Residential Zone the minimum garden area requirement must be provided. To understand what minimum garden area applies, here is the guide to the minimum area requirement: <a href="https://www.planning.vic.gov.au/guides-and-resources/guides/planning-practice-notes/applying-the-minimum-garden-area-requirement">https://www.planning.vic.gov.au/guides-and-resources/guides/planning-practice-notes/applying-the-minimum-garden-area-requirement</a>

## FAQ's

### Is a Planning Permit required for a Small Second Dwelling?

Provided the proposed building meets the requirements outlined above, in most zones under the [Latrobe Planning Scheme](#) a planning permit may not be required, noting that certain overlays can trigger the requirement for a permit.

(To find out what zones and overlays apply to a site, go to [VicPlan](#))

Planning permit requirements for an SSD in some common zones and overlays under the Latrobe Planning Scheme:

Planning Controls	Permit required	Criteria
Residential Zones: <ul style="list-style-type: none"> <li>• General Residential Zone</li> <li>• Neighbourhood Residential Zone</li> <li>• Low Density Residential Zone</li> <li>• Mixed Use Zone</li> <li>• Township Zone</li> <li>• Residential Growth Zone</li> </ul>	No	<ul style="list-style-type: none"> <li>• The area of the land is more than 300 square metres; and</li> <li>• The land is not affected by an Overlay.</li> <li>• Any other requirement of a zone (such as the minimum garden area and maximum building height requirements) must be met.</li> </ul>
Rural Zones: <ul style="list-style-type: none"> <li>• Rural Living Zone</li> <li>• Farming Zone</li> </ul>	No	<ul style="list-style-type: none"> <li>• If specified setback requirements listed under the Latrobe Planning Scheme are met.</li> </ul>
Overlays: <ul style="list-style-type: none"> <li>• Environmental Significance Overlay</li> <li>• Heritage Overlay</li> <li>• Bushfire Management Overlay</li> <li>• Land Subject to Inundation Overlay</li> <li>• Floodway Overlay</li> </ul>	Yes	

**Please Note:**

- *Vegetation removal: If the proposed SSD results in the removal of vegetation, a planning permit may be required – whether or not a planning permit is required for the proposed use/development.*
- *Restrictions on Title: If any restrictions are registered on Title, any development proposed on the land will need to adhere to the conditions of these restrictions. Planning permission will be required to vary or remove any of the restrictions.*

### **Can a garage/ tiny home be converted to a small second dwelling?**

It may be possible to convert an existing building for use as a small second dwelling, provided the proposal complies with:

- The requirements listed above;
- Any existing planning permit applicable to the land;
- Other requirements of the Latrobe Planning Scheme;
- Any restrictions on title; and/or
- The Building Regulations 2018 and/or Building Act 1993.

### **Will a small second dwelling have its own street number, and can a small second dwelling be on its own lot?**

Council's Rates team can assist with assigning street numbers to new small second dwellings. For further advice/information, contact 1300 367 700.

Land cannot be subdivided in a way that would result in a small second dwelling being on its own lot. A small second dwelling must remain on the same lot as an existing dwelling.

### **Are planning permit applications for small second dwellings eligible to be assessed as a VicSmart application?**

In most circumstances, a planning permit application for a small second dwelling is generally **not** eligible for assessment as a VicSmart application.

If a planning permit is required for development of a small second dwelling in a residential zone, the development must meet the requirements of Clause 54 of the Latrobe Planning Scheme.

Please Note:

*The advice within this fact sheet is current at the date of publishing but may be impacted by subsequent changes to the Planning Scheme, legislation, the proposal, referral advice, site inspections, the public notification process, and any other change of circumstance.*

### **Other Resources – DTP website links**

Additional information on Small Second Dwellings can be obtained by clicking the links below:

- [Guides and Resources on Small Second Dwellings](#)
- [Applicant's Guide and a Checklist for Small Second Dwellings](#)
- [Renting out Small Second Dwellings](#)

*The fact sheet provides preliminary advice only. For any advice specific to your circumstances, please contact Council's Statutory Planning team on 1300 367 700.*