

Planning Fact Sheet

Small Second Dwellings



Pyrenees
Shire Council

In 2023 the Victorian Government introduced changes to Planning Provisions and Building Regulations designed to make it easier to build a small second home in residential and rural areas across Victoria.

Planning Scheme Amendment VC253 was approved by the Minister for Planning on 14 December 2023. The changes simplify and, in some cases exempt the requirements to obtain a Planning Permit to construct a 'Small Second Dwelling' on land where there is already a lawful dwelling.

What is a Small Second Dwelling?

A Small Second Dwelling is 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.

What is Gross Floor Area?

Gross floor area is defined at Clause 73.01 in the Planning Scheme as the total floor area of a building, measured from the outside of the external walls or the centre of party walls, and includes all roofed areas.

Do I need a Planning Permit?

The planning requirements depend on the zoning and overlays applicable to your land. You can view the zoning and overlays to any property located within Victoria at VicPlan. You can also apply for Written Advice for confirmation of planning requirements.

Key Features:

- A small second home must not be connected to reticulated natural gas
- A small second home does not require a car parking space.
- Anyone can live in or rent-out a small second home, including a family member, dependent person, or unrelated persons.
- A small second dwelling cannot be subdivided from the primary dwelling
- A small second dwelling must meet siting requirements, including minimum garden area
- A small second dwelling can be attached, detached or a conversion
- A small second dwelling must have an access path from the front street

Note:

A building permit is always required.

Ensure you review your Copy of Title for any restrictions that would prohibit the construction of a Small Second Dwelling.

For more information, please contact the Planning Department on (03) 5349 1100 or you can email pyrenees@pyrenees.vic.gov.au Attn: Planning