



# Fact Sheet: Dependent Person's Unit (Granny Flat)

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## What is a Dependent Person's Unit?

Defined by the Greater Dandenong Planning Scheme, a Dependent Person's Unit is a

"movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling".

A common term widely used in the community for this form of accommodation is "Granny Flat".

In determining whether a Planning Permit will be required, Council must be satisfied that a potential building (Dependent Person's Unit) achieves the following criteria of the definition quoted above.

- Is this building movable? If so, does it meet the following definition of Movable building being - " a structure other than a tent, caravan or vehicle, which is designed to be moved from place to place on more than one occasion"
- Will the building be used for the accommodation of a dependent person? This may be a person who is incapacitated by virtue of medical, economic or social reasons and is therefore dependent on the person in the main dwelling for their accommodation
- There will be only one building on the subject lot which achieves the above definitional requirements, and that Council is satisfied that this building can be considered to be a Dependent Person's Unit

Provided that Council is satisfied that the building achieves the above criteria, a Planning Permit may not be required.

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## Other Controls

A Planning Permit may not be required for the use or development of a Dependent Person's Unit, provided that Council is satisfied that it meets the above criteria.

However, other controls may also affect the development and use of a Dependent Person's Unit.

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These can be:

- Restrictions and or covenants which appear on the relevant copy of title;
- Relevant overlay controls
- Building envelopes which restrict the construction of buildings to a defined area.

**Please note:**

Specific advice (in relation to planning controls) should be sought from a Council Planning Officer prior to proceeding with a Dependent Person's unit.

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**Issues to consider**

1. Check your copy of title for any relevant restrictions or any evident covenants which relate to your property; if so seek legal advice.
2. Approach Council and seek advice regarding relevant planning controls (i.e. Planning Scheme Overlays) which may have an impact on the development of a Dependent Person's unit
3. Apply for a building permit for the construction of the Dependent Person's unit.

**Please note:**

In order for a building approval to be granted, the relevant Building Surveyor must be satisfied that the proposal complies with the above criteria. Evidence of compliance with the criteria above should be easily evident from the building plans.

If Council is the relevant Building Surveyor, then a written statement or statutory declaration will be required to confirm that the building will be occupied only by a person who is dependent on the resident of the existing dwelling as part of the application for a building approval.

If you require written advice/confirmation from the planning department in relation to the above, please be aware that a fee is normally required.

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**Enquiries and further information**

Council's Statutory Planning Team on 8571 1575.

Language link  13 14 50

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