* + 1. Dual occupancy code

# Application

1. This code applies to assessing development for a Dual occupancy.
2. When using this code, reference should be made to Part 5.

# Purpose

1. The purpose of the Dual occupancy code is to promote a variety of housing choice to cater for a range of housing needs and affordability.
2. The purpose of the code will be achieved through the following overall outcomes:
	1. the scale and character of development is consistent with the existing desired residential character and streetscape pattern;
	2. design gives a sense of individual ownership to residents;
	3. dual occupancies do not detrimentally affect the function of the road network and its infrastructure design requirements.

# Assessment benchmarks and requirements

**Table** [**9.2.9.3.**](#_bookmark0)**a – Dual occupancy code – benchmarks for assessable development and requirements for accepted development**

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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **For accepted development subject to requirements and assessable development** |
| **Building work (not associated with a Material change of use) on a site containing an existing Dual occupancy** |
| **Design** |
| **PO1**Building work is designed and sited to:1. Maintain privacy and amenity for residents and adjoining premises;
2. maximise separation between buildings and adjoining premises;
3. maintain the character and amenity of the streetscape and surrounding area;
4. retain landscaping, private open space and communal recreational areas.
 | **AO1.1**Building work does not:1. increase the height of existing buildings and structures on the site;
2. reduce the number of car parking spaces on the site;
3. reduce private open space or communal recreational areas on the site.
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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
|  | **AO1.2**Building work maintains whichever is the lesser of the setbacks of existing buildings and structures from boundaries or:1. no less than 6 metres from a road frontage;
2. 5.5 metres from a secondary road frontage for a garage or carport;
3. 3 metres from a secondary road frontage for all other buildings and structures;
4. 1.5 metres from side and rear boundaries.
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| **AO1.3**Car parking areas, garages, carports and other parking structures are designed and located so that they do not occupy more than 6m of the street frontage. |  |
| **AO1.4**Buildings are:1. attached by a common wall; or
2. separated by not less than 3m.
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| **For all other accepted development subject to requirements and assessable development** |
| **Site requirements** |
| **PO2**The site has sufficient area to accommodate:1. buildings and structures;
2. setbacks;
3. access, parking, manoeuvring and circulation;
4. landscaping;
5. recreational and outdoor living areas.
 | **AO2.1**The dual occupancy is established on land with a minimum area of:1. 600m2 within the Low-medium density residential zone, Medium density residential zone or Mixed use zone precinct 3; or
2. 800m2 within all other zones.
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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **Design** |
| **PO3**Buildings and structures are setback from property boundaries such that:1. the setback from the street frontages reflects the positive attributes of the streetscape;
2. the setback from side and rear boundaries retains daylight access and privacy for adjoining properties;
3. the setback from all boundaries is sufficient to allow areas of deep planting;
4. the setback from street frontages provides for the desired streetscape pattern.
 | **AO3.1**Buildings and structures are set back from property boundaries as follows:1. 6 metres from the primary road frontage;
2. 5.5 metres from a secondary road frontage for a garage or carport and 3 metres from a secondary road frontage for all other buildings and structures;
3. 1.5 metres from side and rear boundaries.
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| **PO4**Buildings are appropriately separated from each other to maintain the character of the streetscape and privacy and amenity for residents. | **AO4.1**Buildings are:1. attached by a common wall; or
2. separated by not less than 3m.
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| **PO5**Car parking areas, including garages and other parking structures are designed and sited to provide a high quality living environment and enhance the amenity of the streetscape. | **AO5.1**Car parking areas, garages, carports and other parking structures are designed and located so that they do not occupy more than 6m of the street frontage. |  |
| **PO6**The development addresses the road frontage to facilitate casual surveillance and to enhance the amenity of the streetscape. | **AO6.1**The building has balconies or windows or verandahs that face the street. |  |
| **AO6.2**Fences and walls along road frontages are not more than:1. 1.2 metres in height if less than 50% transparent; or
2. 1.5 metres in height if greater than 50% transparent.
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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **PO7**Residents are provided functional private open space and recreation area. | **AO7.1**A minimum area of 25m² private open space is provided for each dwelling unit which is directly accessible from the living area of each dwelling unit. |  |
| **Access** |
| **PO8**The development provides safe access to and from the premises. | **AO8.1**Where development is on a State controlled road, Sub-arterial road or Collector road the driveway design is such that vehicles can enter and exit the site in a forward gear. |  |
| **Screening** |
| **PO9**Fencing is designed to ensure a high degree of privacy and amenity for residents. | **AO9.1**A screen fence (minimum height of 1.8 metres and maximum gap of 10mm) is provided to the side and rear boundaries. |  |
| **AO9.2**Where the front fence is lower than the side boundary fence it is tapered to the maximum height of the side boundary fence at or behind the front setback. |  |
| **Infrastructure** |
| **PO10**The dual occupancy is connected to essential infrastructure services and is sufficient to support individual ownership of each dwelling. | **AO10.1**Each dwelling is separately connected to:1. water;
2. sewerage;
3. drainage;
4. electricity;
5. telecommunications.
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| **Service facilities** |

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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **PO11**Services structures and mechanical plant (including air conditioners) are located, screened or incorporated as part of the building form to minimise adverse impacts on amenity. | **AO11.1**Services structures and mechanical plant are located or screened to not be visible from:1. public spaces;
2. adjoining properties.
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| **AO11.2**Mechanical plant is not located on balconies or adjacent to other liveable areas. |  |
| **AO11.3**Services and mechanical plant are located in building recesses or adjacent to service areas such as parking and driveway areas. |  |
| **PO12**Development provides a secure and functional storage area for each dwelling. | **AO12.1**A secure storage area is provided for each dwelling that:1. has a minimum space of 2.5m2;
2. has a minimum height of 2 metres;
3. is weather proof;
4. has immunity to the 1% AEP inundation event.

Note – dedicated storage space areas may be provided inside the dwelling only where they are in addition to storage typically provided in dwellings (e.g. cupboards, wardrobes). |  |
| **PO13**Development provides sufficient area to accommodate the storage of waste and recycle receptacles that is in a location that does not adversely impact on the amenity of the streetscape or adjoining premises. | **AO13.1**Development is designed to be serviced by wheelie bins for kerbside waste and recycling collection. An area for the storage of wheelie bins is provided:1. at an accessible on site location at or near the road frontage;
2. that is convenient to the occupants;
3. screened from view from the street and adjoining properties.
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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **For assessable development** |
| **Dual occupancy incorporating an existing dwelling house** |
| **PO14**For dual occupancies incorporating an existing dwelling:1. dwellings at the street front contribute to a sense of individual ownership;
2. where the new dwelling is located at the rear of an existing dwelling, the appearance of the streetscape is maintain by screening the premises to the rear;
3. driveways are located, landscaped or screened to maintain the privacy and amenity of the existing dwelling.
 | **AO14.1**No acceptable outcomes are provided. |  |
| **PO15**Where the new dwelling is attached to an existing dwelling, the layout and form maintains the bulk and appearance of the existing dwelling. | **AO15.1**The design of the dual occupancy:1. maintains the appearance of a single dwelling house to the street;
2. provides a communal driveway;
3. provides additional undercover car parking behind the front façade.
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