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### Dual occupancy code

#### Application

This code applies to development identified as requiring assessment against the Dual occupancy code by the tables of assessment in **Part 5 (Tables of assessment)**.

Note—this code does not apply to a dual occupancy which may be established as part of a mixed use building.

#### Purpose and overall outcomes

1. The purpose of the Dual occupancy code is to ensure that development involving a dual occupancy achieves a high level of comfort and amenity for occupants, maintains the amenity and enjoyment of neighbouring premises and is compatible with the character of the streetscape and surrounding area.
2. The purpose of the Dual occupancy code will be achieved through the following overall outcomes:-
	1. a dual occupancy makes a positive contribution to the streetscape character of the area in which it is located;
	2. a dual occupancy is sited and designed to protect the amenity, privacy and access to sunlight of adjoining residential premises;
	3. a dual occupancy provides a high level of amenity and safety for residents of the dual occupancy; and
	4. a dual occupancy is provided with an acceptable level of infrastructure and services.

#### Specific benchmarks for assessment

Requirements for development accepted subject to requirements and benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
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| ***Site suitability*** |  |
| **PO1**The dual occupancy is located on a site which is situated within a low or medium density residential area and has sufficient area to accommodate the dual occupancy and associated access, parking, landscaping, servicing, effluent disposal and setback requirements. | **AO1**Where in a sewered area, the dual occupancy is located on a lot:-1. in the Medium density residential zone; or
2. in the Low density residential zone which has a minimum area of 800m².

**OR**Where not located in a sewered area, the dual occupancy is located on a lot:-1. in the Medium density residential zone or Low density residential zone; and
2. which has a minimum area of 2,000m2.
 | Provide a brief description how your proposal complies with the relevant Acceptable outcome (if applicable) or a detailed analysis how compliance is achieved with the Performance outcome. |
| **PO2**Where located in a low density residential area, the dual occupancy provides an attractive and open development that maintains the low density residential amenity and character of the surrounding area. | **AO2**Where in the Low density residential zone, the development provides for a net residential density of not more than 25 dwellings per hectare. | Click and provide your representations. |
| ***Site cover*** |  |
| **PO3**The dual occupancy and any associated buildings or structures:-1. are of a scale that is compatible with surrounding development;
2. do not present the appearance of bulk to adjacent premises or other areas in the vicinity of the site; and
3. maximise opportunities for the retention of existing vegetation; and
4. retain sufficient area to accommodate soft landscaping, outdoor recreation and other site facilities, on-site stormwater management and vehicle access and manoeuvring.
 | **AO3**The site cover of the dual occupancy, inclusive of any associated garage, carport or shed, does not exceed 50%. | Click and provide your representations. |
| ***Building height*** |  |
| **PO4**The height of the dual occupancy and associated buildings and structures is consistent with the preferred character of a local area and does not adversely impact on the amenity of adjoining premises having regard to:-1. overshadowing;
2. privacy and overlooking;
3. views and vistas;
4. building appearance; and
5. building massing and scale as seen from neighbouring premises.
 | **AO4.1**The dual occupancy does not exceed a maximum height of 2 storeys and 8.5m.**AO4.2**Any garage, carport or shed does not exceed a maximum height of 4.2m.  | Click and provide your representations. |
| ***Design and siting*** |  |
| **PO5**The dual occupancy is located, designed and constructed to:-1. be dispersed across predominantly low density residential neighbourhoods;
2. provide an attractive address to all street frontages;
3. make a positive contribution to the preferred streetscape character of the locality;
4. minimise opportunities for residents to overlook the private open space of neighbouring premises; and
5. provide opportunities for casual surveillance of public and communal spaces.
 | **AO5.1**Where located in the Low density residential zone, the dual occupancy is developed on a lot that does not: 1. adjoin another lot used or approved for a dual occupancy fronting the same street; or
2. result in a dwelling house or a vacant lot included in the Low density residential zone to be adjoined by more than one dual occupancy development fronting the same street.

**AO5.2**Each dwelling has an individual design and appearance that is not a mirror image of the adjoining dwelling.**AO5.3**The total width of garage openings facing each street frontage does not exceed 6m or 50% of the street frontage, whichever is the lesser.**AO5.4**Where the site has an approved development footprint plan and the plan nominates setbacks from front, side or rear property boundaries, the dual occupancy is setback in accordance with the approved plan.**AO5.5**Where there is no approved development footprint plan that nominates setbacks from a property boundary for the site, the dual occupancy is setback in accordance with the following:-1. the dual occupancy is setback at least 6m from any street frontage;
2. the dual occupancy, other than any garage, carport or shed, is setback from any side or rear property boundary in accordance with the following:-
3. 1.5m for any part of the building that is 4.5m in height or less;
4. 2m for any part of the building that is higher than 4.5m but not higher than 8.5m; and
5. 2m plus 0.5m for every 3m of any part of the building that exceeds 8.5m in height.
6. any garage, carport or shed may be sited within the side and rear boundary setbacks specified in AO5.5(b) above provided that:-
7. the total length of all buildings within the setback is not more than 9m along any one boundary; and
8. any part of the garage, carport or shed within the setback are located no closer than 1.5m to a window in a habitable room of an adjoining dwelling.
 | Click and provide your representations. |
| ***Site landscaping*** |  |
| **PO6**The dual occupancy incorporates on-site landscaping that:-1. provides an attractive landscape setting for the enjoyment and appreciation of residents;
2. integrates the development into the surrounding urban landscape;
3. effectively defines and screens private open space and service areas; and
4. maintains opportunities for casual surveillance to the street.
 | **AO6.1**The site is landscaped with turf and tree and shrub species. **AO6.2**At least 25% of the site is retained for soft landscaping (i.e. not used as hardstand area).**AO6.3**A 1.8m high no-gap screen fence is provided along all side and rear boundaries of the site, tapering to a maximum height of 1.2m for any fence:-1. within the front building line; or
2. within 6m from a street frontage, for any hatchet shaped lot or lot accessed via an easement.

Note—the change in height of the fence may be stepped down or tapered over a maximum distance of 2.5m.**AO6.4**Any fence provided to a street frontage or in front of the building line (where not a side or rear boundary referred to in AO6.3) is not more than 1.2m high. | Click and provide your representations. |
| ***Private open space*** |  |
| **PO7**Occupants of the dual occupancy are provided with sufficient areas of private open space which:-1. has a suitable area, dimensions and configuration to encourage outdoor living use;
2. is available for the sole use of the residents of individual dwelling units; and
3. is adequately separated from each other to provide visual privacy.
 | **AO7**Each dwelling has a clearly defined area of private open space which:-1. has an area of at least 16m2;
2. has a minimum dimension of 4m;
3. is directly accessible from a living area of the dwelling; and
4. provides visual privacy from other private open space areas by a screen, wall or fence.
 | Click and provide your representations. |
| ***Safety and security*** |  |
| **PO8**The dual occupancy including buildings and outdoor spaces is designed to protect the personal safety and security of residents by allowing for natural surveillance.  | **AO8.1**Each dwelling has a front door (not being a garage door) that is visible and clearly identifiable from the street (expect where on a hatchet shaped lot or lot accessed via an easement) and from the driveway. **AO8.2**The internal pathway network has clear sightlines to each dwelling’s front door and street access points.  | Click and provide your representations. |
| ***Services and utilities*** |  |
| **PO9**The dual occupancy is provided with and connected to essential infrastructure and services, where available. | **AO9.1**The dual occupancy is connected to the reticulated water supply, sewerage, stormwater drainage and electricity supply infrastructure networks (where available to the lot).**AO9.2**Where not located in a sewered area, the dual occupancy is provided with an effluent treatment and disposal system in accordance with the *Plumbing and Drainage Act 2018.***AO9.3**Where reticulated water supply is not available to the lot, each dwelling in the dual occupancy is provided with water supply via a minimum 45,000 litre rainwater collection tank.Editor’s note—Standards Australia *HB230-2008 Rainwater Tank Design and Installation Handbook* includes information for the collection, storage and use of rainwater for private domestic use. | Click and provide your representations. |
| **PO10**The dual occupancy is provided with adequate areas for the storage of waste and recyclable items, in appropriate containers, which are convenient to use and service. | **AO10**The dual occupancy provides for the storage and collection of mobile garbage bins, with bin storage via a separate waste storage area for each dwelling or a common waste storage area, in accordance with the requirements specified in the **Planning scheme policy for waste management**. | Click and provide your representations. |
| ***Access and On-site car parking*** |  |
| **PO11**The dual occupancy provides sufficient on-site car parking to satisfy the projected needs of residents having regard to:-1. the availability of public transport;
2. the availability of on-street parking;
3. the desirability of on-street parking in respect to streetscape character; and
4. the residents’ likelihood to have or need a vehicle.
 | **AO11**The dual occupancy provides 2 on-site car parking spaces per dwelling, of which a minimum of 1 space per dwelling is covered.Note—Car parking spaces may be in a tandem configuration provided that these spaces are wholly contained within the site such that parked vehicles do not protrude into the road reserve.  | Click and provide your representations. |
| **PO12**Development ensures that vehicle access and parking is safe, and does not interfere with the function, safety and operation of the transport network. | **AO12.1**Access driveways, internal circulation and manoeuvring areas, and on-site car parking areas are designed and constructed in accordance with *AS2890 Parking facilities – Off-street car parking* and the **Planning scheme policy for development works**. Access driveways are to be concrete, while internal driveway and car parking areas are to be minimum asphalt or concrete paved.**AO12.2**Where the development is accessed via a collector road or trunk road, on-site car parking and manoeuvring areas are designed to ensure vehicles can enter and leave the site in a forward motion. | Click and provide your representations. |