

# Summary of Low Rise Medium Density Development Standards

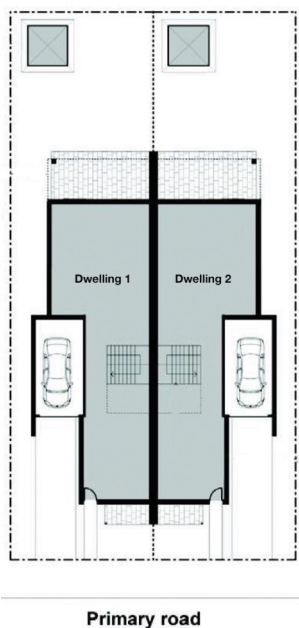
Dual Occupancies (side by side)

March 2018

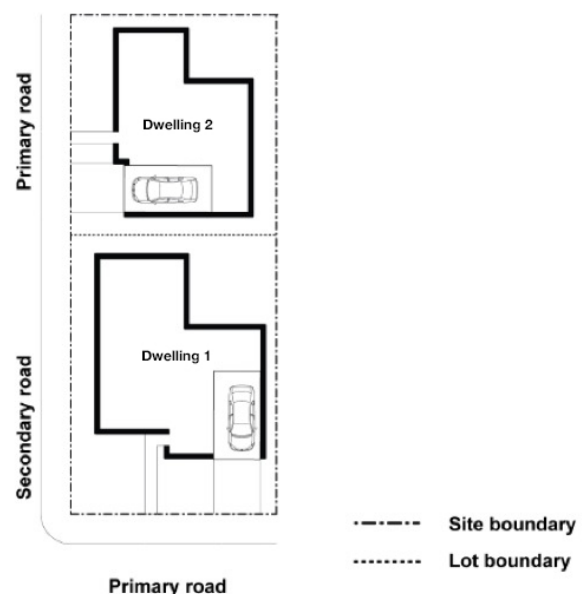
This Summary Table is intended as a guide to the erection of or alteration to a dual occupancy (side by side) as complying development in Zones R1, R2, R3 and RU5.

**Dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached):

- **Dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.
- **Dual occupancy (detached)** means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.



Example of a Dual Occupancy (attached)



Example of a Dual Occupancy (detached)

## Important Notes

1. Development standards for excavation, fill, retaining walls and structural supports, drainage, protected tree requirements and protection of adjoining walls associated with the development are provided under Division 6.
2. Development standards for development on bush fire prone land and flood control lots are provided under Clause 3B.4 and 3B.5.
3. This Summary Table must be read in conjunction with all clauses under the Low Rise Medium Density Housing Code.

**Disclaimer:** The information provided, including summary tables, is intended to be general information only and does not constitute professional advice and should not be relied upon as such. No liability is accepted for reliance on any information that is provided. You should seek independent professional advice and refer to the relevant legislation, including the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 before taking action, by [visiting this link](#).

## For further information contact us:

Codes Hotline – 13 77 88  
[codes@planning.nsw.gov.au](mailto:codes@planning.nsw.gov.au)

# Summary of Low Rise Medium Density Development Standards

## Dual Occupancies (side by side)

Clause	Development Standard	Dual Occupancies (side by side)		
3B.1 (3)	Permissibility	Permitted in R1, R2, R3 and RU5 zones. Dual occupancies will be permitted where the dual occupancies are permitted under the relevant council Local Environmental Plan (LEP).		
3B.8 (1)	Minimum Lot Size	Minimum lot size specified for dual occupancies in a LEP, <b>or</b> 400m <sup>2</sup> , if no minimum lot size specified in LEP.		
3B.8 (2)	Minimum Lot Width	12m (measured at the building line)		
3B.9	Maximum Building Height	8.5m		
3B.10	Maximum Gross Floor Area (All Buildings)	<b>Lot Area</b>	<b>Maximum GFA</b>	
		400m <sup>2</sup> -2000m <sup>2</sup>	25% of lot area + 300m <sup>2</sup>	
		>2000m <sup>2</sup>	800m <sup>2</sup>	
3B.15	Minimum Landscaped Area	50% of the lot area minus 100m <sup>2</sup> 25% of area forward of building to be landscaped 1.5m minimum length and width		
3B.18	Car Parking	At least one off-street parking space for each dwelling		
6.3 (Torrens) 6.1 (2) (strata)	Concurrent Subdivision	<p>Torrens title subdivision is only allowed for dual occupancies if the Council allows subdivision in its LEP.</p> <p>Torrens title subdivision is permitted under the Code and the minimum lot size must be:</p> <ul style="list-style-type: none"> <li>at least 60% of the minimum lot size in the relevant council LEP.</li> <li>if the LEP does not specify a minimum lot size, it is 200m<sup>2</sup>.</li> </ul> <p>If strata subdivision for dual occupancies is permitted under the relevant council LEP, then the strata subdivision of the dual occupancy is permitted under the Code. The strata area of a dual occupancy is not less than 180m<sup>2</sup>.</p> <p>Dual occupancy development and subdivision may be approved concurrently under one complying development certificate.</p>		
3B.11 (1), (2) & (3)	Primary Road Setback	Where existing dwelling houses or dual occupancies are on the same side of the road and within 40m of the development – average of the two closest dwelling houses or dual occupancies.		
		If no dwelling houses or dual occupancies are within 40m of the development then:		
		<b>Lot Area</b>	<b>Setback</b>	
		400m <sup>2</sup> -900m <sup>2</sup>	4.5m	
		900m <sup>2</sup> -1500m <sup>2</sup>	6.5m	
>1500m <sup>2</sup>	10m			
3B.11 (4)	Side Setbacks	<b>Lot width at the building line</b>	<b>Building height</b>	<b>Minimum required setback from each side boundary</b>
		12m-24m	0m-4.5m	0.9m
			>4.5m-8.5m	= (building height - 4.5m) ÷ 4 + 0.9m
		>24m-36m	0m-4.5m	1.5m
			>4.5m-8.5m	= (building height - 4.5m) ÷ 4 + 1.5m
>36m	0m-8.5m	2.5m		
3B.11 (5)	Rear Setback	<b>Lot area</b>	<b>Building height</b>	<b>Minimum required setback from rear boundary</b>
		400m <sup>2</sup> -900m <sup>2</sup>	0m-4.5m	3m
		400m <sup>2</sup> -900m <sup>2</sup>	>4.5m-8.5m	8m
		>900m <sup>2</sup> -1500m <sup>2</sup>	0m-4.5m	5m
		>900m <sup>2</sup> -1500m <sup>2</sup>	>4.5m-8.5m	12m
		>1500m <sup>2</sup>	0m-4.5m	10m
		>1500m <sup>2</sup>	>4.5m-8.5m	15m