



PLANNING SCHEME

Information sheet

Dual Occupancies

This information sheet provides a brief overview of the planning scheme requirements for developing a **dual occupancy**.

Housing diversity

The Planning Scheme aims to accommodate a variety of housing options to meet the Shire's growing and changing demographic profile. One option for contributing to the variety of housing options is to develop a use which is defined as a Dual Occupancy.

What is a Dual Occupancy?

A dual occupancy is **a use defined** under the Planning Scheme as *premises containing two dwellings on a lot, or a lot, and consisting of:*

- *a single lot, where neither dwelling is a secondary dwelling; or*
- *two lots sharing common property where one dwelling is located on each lot.'*



Figure 1: Example design of a dual occupancy
(Source: <http://creativelivinginnovations.com.au/projects/dual-occupancy-developments>)

Is Council approval required?

It is important that Part 5 of the planning scheme is read to determine the circumstances whether or not a development application to Council is required. Part 5 of the planning scheme determines the categories of development, the categories of assessment and also the assessment benchmarks to be used for development assessment. In addition, it is also important that overlay maps are viewed to determine whether they exist over the site and result in development constraints or opportunities and whether there are additional development assessment requirements.



Figure 2: Example design of a dual occupancy
(Source: <https://www.facebook.com/ArkhausStudio/>)

What are some characteristics of a dual occupancy?

Characteristic	General Requirements
Gross floor area	There are not any specific restrictions on size in terms of gross floor area (provided that the development is below the site cover limit for the site and the zone in which it is located). Both dwellings of the dual occupancy can be of equal size or of different sizes.
Ownership	Each dwelling can have its own title and each dwelling can have a different owner.
Access	The dual occupancy may use the same access driveway and access crossover; however, depending on the layout of the dual occupancy, a separate access driveway and crossover may be suitable depending on impacts on the road network.
Car park space	A minimum of two (2) spaces for each dwelling, with at least one space (1) being covered.
Open recreation area	There are minimum requirements for each dwelling depending on the zone the site is located in. Depending on design, the area may be private or communal.
Street address and post box	Each dwelling has a separate street address and post box.
Refuse containers	Each dwelling of the dual occupancy must have its own refuse containers.

What information should a development application contain?

If the development triggers assessable development under the planning scheme and it requires a development application to Council, then the mandatory supporting information must be provided on lodgement of a development application. This often includes information such as the following:

- Owners consent (if the applicant is not the owner);
- Proposal plans (Site layout plan, Floor plan, Elevations plan et cetera);
- The relevant fee;
- Completed Development Assessment Forms; and
- A statement addressing the relevant assessment benchmarks in the Planning Scheme.

It is advised that an appointment with the Duty Planner is secured to discuss proposals prior to lodgement.

Are any other development approvals required?

Depending on the specifics of the development, other development permits (approvals) may need to be obtained from Council or other government entities. For example:

- Plumbing and drainage;
- Building work; and
- Operational work (e.g., earthwork, access, stormwater management work).

Are there any infrastructure charges?

Depending on the circumstance, there may be infrastructure charges that apply to the development. Infrastructure charges are collected when development will generate additional demand on planned trunk infrastructure networks. For further information on infrastructure charges please contact Council's Duty Planner service. Reference should be made to the Adopted Infrastructure Charges Resolution current at the time.

Disclaimer: The content of this information sheet is a summary and has been prepared to assist the reader to understand the Planning Scheme. This advice given does not bind or fetter the Council in any way in exercising its statutory responsibilities in assessing any development application which might be made to the Council. Please refer to the full Livingstone Planning Scheme 2018 document on Council's website for further detail.