

9.3.5 Dual occupancy code

9.3.5.1 Application

- (1) This code applies to accepted development and assessable development identified as requiring assessment against the Dual occupancy¹ code by the tables of assessment in **Part 5 (Tables of assessment)**.
- (2) The acceptable outcomes in **Table 9.3.5.3.1 (Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development)** are requirements for applicable accepted development.
- (3) All provisions in this code are assessment benchmarks for applicable assessable development.

9.3.5.2 Purpose and overall outcomes

- (1) The purpose of the Dual occupancy code is to ensure dual occupancies are appropriately located, achieve a high level of comfort and amenity for occupants, maintain the amenity of neighbouring premises and are compatible with the character and *streetscape* of the local area.
- (2) The purpose of the Dual occupancy code will be achieved through the following overall outcomes:-
 - (a) a *dual occupancy* is located in an area intended to accommodate more diverse housing options and is integrated within its neighbourhood setting in a manner which appropriately disperses the distribution of density having regard to the intent of the zone;
 - (b) a *dual occupancy* incorporates a high standard of design and makes a positive contribution to the *streetscape* character of the area in which it is located;
 - (c) a *dual occupancy* is sited and designed to protect the amenity, privacy and access to sunlight of adjoining residential premises;
 - (d) a *dual occupancy* provides a high level of amenity and convenience to residents of the *dual occupancy*; and
 - (e) a *dual occupancy* is provided with an appropriate level of *infrastructure* and services.

9.3.5.3 Performance outcomes and acceptable outcomes²

Table 9.3.5.3.1 Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes	
<i>Location and Site Suitability</i>			
PO1	The <i>dual occupancy</i> is located on a <i>site</i> which:- (a) is convenient to local services and public transport; (b) is in an area intended to accommodate more diverse housing options; (c) is dispersed and not concentrated within low density residential neighbourhoods; (d) has sufficient <i>frontage</i> to achieve desired built form and streetscape outcomes;	AO1.1	The <i>site</i> is included in a <i>centre zone</i> and the <i>dual occupancy</i> is part of a <i>mixed use building</i> . OR The <i>site</i> is included in the Medium density residential zone and has a minimum <i>frontage</i> of 15m. OR The <i>site</i> is included in the Low density

¹ Editor's note—in accordance with **Schedule 1 (Definitions)**, a reference to a '*dual occupancy*' in the planning scheme includes a reference to any *home office* and all outbuildings, structures and works normally associated with a *dual occupancy*.

² Editor's note—a Structure Plan, as varied by an approved master plan or an approved plan of development for a variation approval or reconfiguring a lot, may vary or specify alternative requirements for accepted development or performance outcomes and acceptable outcomes for assessable development for a *dual occupancy*. In such cases, compliance with these alternative requirements for accepted development or performance outcomes and acceptable outcomes for assessable development will be deemed to represent compliance with the comparable provisions of the Dual occupancy code.

Performance Outcomes		Acceptable Outcomes	
	<p>(e) has sufficient area and dimensions to accommodate the use (including associated access, parking, landscapes and setback requirements); and</p> <p>(f) is not steep and is otherwise suitable for the proposed development.</p>	<p>AO1.2</p>	<p>residential zone, other than in Precinct LDR-1 (Protected Housing Area).</p> <p>Where located on a <i>site</i> included in the Low density residential zone, other than in Precinct LDR-1 (Protected Housing Area) and there is no approved plan of development (nominating <i>dual occupancy</i> lots), the <i>site</i>:-</p> <p>(a) has a minimum area of 800m², exclusive of any access strip;</p> <p>(b) does not adjoin another lot developed or approved for a <i>dual occupancy</i>; and</p> <p>(c) has a <i>slope</i> of not more than 15%.</p> <p>OR</p> <p>Where located on a <i>site</i> included in the Low density residential zone, other than in Precinct LDR-1 (Protected Housing Area), the lot is nominated as a <i>dual occupancy</i> lot on an approved plan of development.</p> <p>Note—A reference to an approved plan of development in AO1.2 above, only applies to an approved plan of development which nominates <i>dual occupancy</i> lots.</p>
Site Cover and Density			
<p>PO2</p>	<p>The <i>dual occupancy</i>:-</p> <p>(a) is of a scale that is compatible with surrounding development;</p> <p>(b) does not present an appearance of bulk to adjacent premises, road or other areas in the vicinity of the <i>site</i>;</p> <p>(c) maximises opportunities for the retention of existing <i>vegetation</i> and allows for soft landscapes between buildings and the street;</p> <p>(d) allows for adequate area at ground level for outdoor recreation, entertainment, clothes drying and other site facilities; and</p> <p>(e) facilitates on-site stormwater management and vehicular access.</p>	<p>AO2.1</p> <p>AO2.2</p>	<p>The <i>site cover</i> of the <i>dual occupancy</i> does not exceed:-</p> <p>(a) 50% where a single <i>storey dual occupancy</i>;</p> <p>(b) 40% where the <i>dual occupancy</i> is 2 or more <i>storeys</i> in height; or</p> <p>(c) 50% for the ground floor and 30% for the upper floors where the <i>dual occupancy</i> is 2 or more <i>storeys</i> in height.</p> <p>The maximum number of bedrooms per <i>dwelling</i> in the <i>dual occupancy</i> does not exceed 3.</p>
Streetscape Character			
<p>PO3</p>	<p>The <i>dual occupancy</i> is designed and constructed to:-</p> <p>(a) provide an attractive address to all street <i>frontages</i>;</p> <p>(b) make a positive contribution to the preferred <i>streetscape</i> character of the locality;</p> <p>(c) provide shading to walls and windows of the <i>dual occupancy</i>;</p> <p>(d) minimise opportunities for residents to overlook the <i>private open space</i> areas of neighbouring premises; and</p> <p>(e) maximise the retention of existing mature trees within the <i>frontage</i> setback, to retain <i>streetscape</i> character.</p>	<p>AO3.1</p> <p>AO3.2</p> <p>AO3.3</p>	<p>Each <i>dwelling</i> has an individual design such that the floor plan is not a mirror image of the adjoining <i>dwelling</i> and includes distinct external design elements (e.g. variations in roof line, facade, treatment or position of main entrances and garages, window treatments and shading devices).</p> <p>The <i>dual occupancy</i> is <i>setback</i> at least 4.5 metres from any street <i>frontage</i>, with any garage or carport associated with the <i>dual occupancy</i> <i>setback</i> at least 6 metres.</p> <p>Any garage or carport is <i>setback</i> a minimum of 1.5 metres from the main</p>

Performance Outcomes		Acceptable Outcomes	
		AO3.4	<p>face of the associated <i>dwelling</i>, or in line with the main face of the associated <i>dwelling</i>, where the <i>dwelling</i> incorporates a front verandah or portico projecting forward of the main face or faces.</p> <p>The <i>dual occupancy</i> is <i>setback</i> from any side or rear property boundary in accordance with the boundary clearance provisions of the QDC MP1.3.</p>
Private Open Space			
PO4	Sufficient <i>private open space</i> is provided to allow for the amenity and reasonable recreation needs of the occupants of the <i>dual occupancy</i> .	AO4	<p>Each <i>dwelling</i> is provided with <i>private open space</i> at ground level free of buildings which:-</p> <p>(a) is at least 50m² in area;</p> <p>(b) comprises not more than two separate parts;</p> <p>(c) has one part directly accessible from the main living area which:-</p> <p>(i) is at least 25m² in area;</p> <p>(ii) has a minimum dimension of 4 metres; and</p> <p>(iii) has a maximum gradient of 1 in 20 (5%).</p>
Setbacks to Canals and Artificial Waterways			
PO5	Buildings and structures are adequately <i>setback</i> from canals and other artificial <i>waterways</i> or <i>waterbodies</i> (e.g. lakes) to:-	AO5	Buildings and structures exceeding 1 metre in height above ground level (other than pool fencing which is at least 75% transparent) are <i>setback</i> a minimum of 4.5 metres from the property boundary adjacent to the canal or artificial <i>waterway/waterbody</i> .
	<p>(a) protect the structural integrity of the canal/<i>waterway/waterbody</i> profile and revetment wall; and</p> <p>(b) ensure no unreasonable loss of amenity occurs to adjacent land and dwellings, having regard to:-</p> <p>(i) privacy and overlooking;</p> <p>(ii) views and vistas;</p> <p>(iii) building character and appearance; and</p> <p>(iv) building massing and scale as seen from neighbouring premises.</p>		
Site Landscapes			
PO6	The <i>dual occupancy</i> incorporates site landscapes that:-	AO6.1	The <i>site</i> is fully landscaped with turf and tree and shrub species.
	(a) provide an attractive landscape setting for the enjoyment and appreciation of residents;	AO6.2	At least 20% of the <i>site</i> is retained for soft landscapes (i.e. not used as hardstand area).
	(b) integrate the development into the surrounding urban landscape;	AO6.3	A minimum 1 metre wide landscape strip is provided along the full length of the street <i>frontage</i> (excluding driveways and pathways).
	(c) effectively define and screen <i>private open space</i> and service areas;	AO6.4	A 1.8 metre high solid screen fence is provided along:-
	(d) utilise locally native <i>vegetation</i> species as the major planting theme; and		(a) the full length of all rear <i>site</i> boundaries; and
	(e) maximise the retention of existing mature trees in order to retain the landscape character of the area.	AO6.5	(b) the full length of all side <i>site</i> boundaries to the front building line.
			Fences or walls are not provided along street <i>frontages</i> .
			OR

Performance Outcomes		Acceptable Outcomes	
			Fences or walls to street <i>frontages</i> are not more than:- (a) 1.8 metres high where the <i>site</i> is on a <i>major road</i> ; or (b) 1.2 metres high where the <i>site</i> is not on a <i>major road</i> .
Safety and Security			
PO7	The <i>dual occupancy</i> , including buildings and outdoor spaces, is designed to protect the personal security and safety of residents by allowing for casual surveillance.	AO7.1 AO7.2	Each <i>dwelling</i> has an entrance which is clearly identifiable and visible from the street and driveway. The internal pathway network has clear sightlines to the <i>dwelling</i> entrance and street access points.
Access and Car Parking			
PO8	Sufficient parking spaces are provided on the <i>site</i> to cater for residents and visitors.	AO8	A minimum of 2 (two) car parking spaces are provided per <i>dwelling</i> , with at least 1 (one) car parking space capable of being covered. Note—car parking spaces may be provided in a tandem configuration provided that all spaces are wholly contained within the <i>site</i> such that parked vehicles do not protrude into the road reserve.
PO9	The design and management of <i>access</i> , parking and vehicle movement on the <i>site</i> facilitates the safe and convenient use of the <i>dual occupancy</i> by residents and visitors.	AO9	Access driveways, internal circulation and manoeuvring areas, and on-site car parking areas are designed and constructed in accordance with:- (a) IPWEA Standard Drawings SEQ R-049, R-050 and R-056 as applicable; and (b) <i>AS2890 Parking facilities – Off-street parking</i> .
Services and Utilities			
PO10	The <i>dual occupancy</i> is provided with, and connected to, <i>infrastructure</i> and services.	AO10	The <i>dual occupancy</i> is connected to the reticulated water supply, sewerage and telecommunications <i>infrastructure</i> networks and has an electricity supply.
PO11	The <i>dual occupancy</i> is provided with a stormwater management system which:- (a) makes adequate provision for drainage of the premises to a lawful point of discharge; and (b) conveys external catchment stormwater through the development.	AO11	Where the <i>dual occupancy</i> is on a lot with a finished level that falls to the road, stormwater is:- (a) piped to kerb and channel; or (b) connected directly into the <i>Council's</i> piped stormwater <i>infrastructure</i> network. OR Where the <i>dual occupancy</i> is on a lot with a finished level that falls away from the road, stormwater is:- (a) connected into an inter-allotment drainage easement; or (b) connected directly into the <i>Council's</i> piped stormwater <i>infrastructure</i> network.
PO12	Development works and connections to <i>infrastructure</i> and services are undertaken in accordance with accepted engineering standards and are complete prior to the commencement of the use.	AO12.1 AO12.2	All development works are certified by a Registered Professional Engineer Queensland (RPEQ). All connections to <i>infrastructure</i> and services are in accordance with the requirements of the relevant infrastructure entity.

Performance Outcomes		Acceptable Outcomes	
PO13	The <i>dual occupancy</i> is provided with adequate areas for the storage of waste and recyclable items, in appropriate containers, which are convenient to use and service.	AO13.1	A separate waste storage area is provided for each <i>dwelling</i> to accommodate the permanent storage of waste and recyclable items in standard waste containers. OR A shared waste storage area over which each <i>dwelling</i> has control via access rights or ownership is provided to accommodate the permanent storage of waste and recyclable items in standard waste containers.
		AO13.2	The separate or shared waste storage area is:- (a) a level, constructed hardstand area, and where shared, provided with a screened enclosure; (b) of sufficient size to accommodate the required number of standard waste containers (i.e. a minimum of 2 wheelie bins per <i>dwelling</i> , and a minimum of 600mm x 600mm per wheelie bin); (c) not visible from passing vehicle or pedestrian traffic; (d) easy to access and use; and (e) not located adjacent to the living areas of existing neighbouring properties.
Filling or excavation			
PO14	Any <i>filling or excavation</i> associated with a <i>dual occupancy</i> :- (a) sensitively responds to the slope and landform characteristics of the <i>site</i> ; (b) provides safe and efficient <i>access</i> for vehicles and pedestrians on sloping land; (c) minimises adverse impacts on the <i>streetscape</i> ; and (d) does not adversely impact upon the privacy or amenity of surrounding premises.	AO14.1	The extent of excavation (cut) and fill does not involve a total change of more than 1.0 metre relative to the ground at any point.
		AO14.2	No part of any cut or fill is within 1.5 metres of any property boundary, except cut and fill involving a change in ground level of less than 200mm that does not necessitate the removal of any <i>vegetation</i> . OR Filling and/or excavation is confined to within the plan area of the <i>dual occupancy</i> , with ground level being retained around external walls of the building.