

DUAL OCCUPANCY INFORMATION GUIDE

THE BELOW CHECKLIST WILL ASSIST YOU WITH THE APPROVALS PROCESS

COMPLY AND DEVELOPMENT CERTIFICATE (CDC)

Dual Occupancy or Manor construction dwellings are permissible under the CDC. The construction must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Part 3B Low Rise Housing Diversity Code.

The following must have an answer of YES in order for the Medium Density dwelling to be approved under CDC:

- Zoning of land must only be:
 - Zone RU5 Village,
 - Zone R1 General Residential,
 - Zone R2 Low Density Residential,
 - Zone R3 Medium Density Residential.
- The Maximum Building Height of a Dual Occupancy dwelling must not exceed 8.5m with the allowed setbacks; If the dwelling is larger than 8.5m, larger front, rear and side setbacks are to occur.
- Maximum Gross Floor Area:
 - 400 Square Meters - 2,000 Square Meters = 25% of lot area + 300 square meters,
 - Larger than 2,000 Square Meters = 800 square meters.
- Primary Road Setbacks:
 - If an established area (meaning existing dwellings either side of the proposed dwelling) = The average setback of dwellings within 40m either side of the proposed structure or larger,
 - If a new area (meaning no existing houses within 40m either side of the proposed dwelling):
 - 400 Square Meters - 900 Square Meters = 4.5m,
 - Larger than 900 Square Meters - 1,500 Square Meters = 6.5m,
 - Larger than 1,500 Square Meters = 10m.
- Side Setbacks (subject to width of lot and maximum building height):
 - 15m - 24m Width & 0m - 4.5m Building Height = 0.9m,
 - 15m - 24m Width & Larger than 4.5m - 8.5m Building Height = $(\text{Building Height} - 4.5\text{m}) / 4 + 0.9\text{m}$,
 - Larger than 24m - 36m Width & 0m - 4.5m = 1.5m,
 - Larger than 24m - 36m Width & Larger than 4.5m - 8.5m Building Height = $(\text{Building Height} - 4.5\text{m}) / 4 + 1.5\text{m}$,
 - Larger than 36m Width & 0m - 8.5m Building Height = 2.5m.
- Rear Setbacks (subject to lot area and maximum building height):
 - 400 Square Meter - 900 Square Meter Lot & 0m - 4.5m Building Height = 3m,
 - Larger than 400 Square Meter - 900 Square Meter Lot & Larger than 4.5m - 8.5m Building Height = 8m,
 - Larger than 900 Square Meters - 1,500 Square Meters & 0m - 4.5m Building Height = 5m,
 - Larger than 900 Square Meters - 1,500 Square Meters & Larger than 4.5m - 8.5m Building Height = 12m,
 - Larger than 1,500 Square Meters & 0m - 4.5m Building Height = 10m,
 - Larger than 1,500 Square Meters & Larger Than 4.5m - 8.5m Building Height = 15m.
- Secondary Road Setbacks:
 - 400 Square Meters - 900 Square Meters = 2m,
 - Larger than 900 Square Meters - 1,500 Square Meters = 3m,
 - Larger than 1,500 Square Meters = 5m.
- Landscaping:
 - Must be a minimum of 50% of the subdivided lot minus 100 Square Meters,
 - Must be a minimum of 25% forward of the building line,
 - Must be a minimum of 50% behind the building line (backyard).
- Minimum Lot Area:
 - Dual Occupancy (Duplex) must be a minimum of 400 Square Meters,
 - Manor House (3 or more dwellings) must be a minimum of 600 Square Meters.
- Lot Frontage:
 - Must be a minimum of 15m measured from the building line.
- Maximum Gross Floor Area:
 - 25% of the lot plus 150 Square Meters to a maximum of 400 Square Meters.
- The Proposed Dual Occupancy must face a public road.
- The Proposed Dual Occupancy must be eligible for CDC under Council Local Environmental Plan (Section 10.7 will advise us).
- Documents needed to obtain an approval through CDC include:
 - Section 10.7 Part 2 & Part 5 (This gives the certifier and the builder information in relation to the subject site. The main points in the report will address; Flooding, Bushfire, Mine Substance, Potential contamination, If a Dual Occupancy is permissible under CDC and a variety of other important facts),
 - Structural and Hydraulic Engineering (This is used for the concrete slab and the stormwater design),
 - BASIX Certificate (This document is an Energy, Water and Thermal rating document that is essential for construction),
 - Water Approval (I.E. Sydney Water) (This document advises the builder and certifier as well as the Water Authorities if their assets will be impacted by the construction. Should the granny flat be built over a water asset, the water main must be encased with concrete and piers are to be deeper),
 - Architectural Plans (This document is the plans that show the site, elevations, floor plan, sections, landscape plan, sediment erosion control barrier),
 - Detailed Contour and Boundary Survey by a registered Land Surveyor and Title Search,
 - All Council Fees must be paid prior to CDC being issued (Council fees generally include a Section 7.11 and any other relevant bonds for construction).