

4. CODES FOR RESIDENTIAL DEVELOPMENT AND USE

4.2 Code for the Development and Use of Dual Occupancy

PURPOSE

The purpose of this code is to provide for development for Dual occupancy purposes that achieves high standards of design, and that is in keeping with the desired character and infrastructure capacity of each locality and is consistent with the Priority Infrastructure Plan.

(1) Element: Site Suitability, Size and Density

PURPOSE

To provide for Dual occupancies to be sited on lots having areas and dimensions which meet user requirements and are in keeping with the character of the Shire's emerging and existing residential areas.

PERFORMANCE CRITERIA / ACCEPTABLE MEASURES														
<p>P1 Dual Occupancies being limited to a very small proportion of the total number of sites and are dispersed to accommodate a mix of housing types in new and established residential areas.</p>	<p>A1.1 In new residential areas, not more than 15% of the total number of new lots being nominated on an approved Plan of Development, or Plan of Subdivision, for Dual occupancy use, with corner lots being preferred.</p> <p>OR</p> <p>A1.2 In existing residential areas, no new lot with any boundary adjoining a site used or approved for use for Dual occupancy purposes.</p>													
<p>P2 Lots intended to be used for Dual occupancy purposes must have the appropriate area and dimensions to enable the siting of dwellings and associated outbuildings, the provision of private open space and vehicle access and parking in accordance with the other Elements of this Code, other applicable codes and the desired character of the Precinct in which the site is situated.</p>	<p>A2.1 The total number of bedrooms on the site does not exceed 6.</p> <p>AND</p> <p>A2.2 In Master Planned Community, Mixed housing and Multi-storey Residential Precincts, Dual occupancies are sited on lots which have the following minimum area and frontage¹:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Slope</th> <th style="text-align: center;">Min lot size (m²)</th> <th style="text-align: center;">Min frontage (m)</th> </tr> </thead> <tbody> <tr> <td>UP TO 15%</td> <td style="text-align: center;">600</td> <td style="text-align: center;">18</td> </tr> <tr> <td>15% and up to 20%</td> <td style="text-align: center;">800</td> <td style="text-align: center;">20</td> </tr> <tr> <td>20% or more</td> <td style="text-align: center;">1000</td> <td style="text-align: center;">25</td> </tr> </tbody> </table> <p>OR</p> <p>A2.3 In precincts other than Master Planned Community, Mixed housing or Multi-storey Residential Precincts, lots accommodating Dual occupancies have a minimum area and frontage which comply with the following:</p>		Slope	Min lot size (m ²)	Min frontage (m)	UP TO 15%	600	18	15% and up to 20%	800	20	20% or more	1000	25
Slope	Min lot size (m ²)	Min frontage (m)												
UP TO 15%	600	18												
15% and up to 20%	800	20												
20% or more	1000	25												

¹ Minimum frontage is the width of line measured 7.5 metres back from the front property boundary along both side boundaries.

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES			
	SLOPE			
		UP TO 15%	15% AND UP TO 20%	20% OR MORE
	<i>In Planning Areas: Urban Coastal², Buderim (Precinct 15 only), Kuluin/Kunda Park, Nambour Eumundi, Yandina, Palmwoods (other than Precinct 9), Kenilworth, Woombye & Eudlo Creek Valley</i>			
	<i>Size(m²)</i>	800	1000	1500
	<i>Frontage(m)</i>	20	25	30
	<i>In Planning Areas: Buderim (other than Precinct 15) & Bli Bli</i>			
	<i>Size(m²)</i>	800	1200	2000
	<i>Frontage(m)</i>	20	25	30
	<i>In Planning Areas: Blackall Range and Palmwoods</i>			
	<i>Size(m²)</i>	3000		
	<i>Frontage(m)</i>	50		

(2) Building Siting and Design

PURPOSE

To provide for the scale, height and length of buildings and walls relative to side and rear boundaries to be of an appropriate residential character, particularly in meeting requirements for privacy and daylight by residents of the premises and of adjacent premises.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 Buildings and structures must not cause significant loss of amenity to adjacent land and dwellings having regard to:</p> <ul style="list-style-type: none"> • overshadowing; • privacy and overlooking; • views and vistas; • building character and appearance; and • building massing and scale as seen from neighbouring premises. 	<p>A1.1 Buildings and structures are not higher than 2 storeys.</p> <p>AND</p> <p>A1.2 Buildings and structures are not higher than:</p> <p>(a) 10.0 metres on land having a slope of 15% or more, as identified on Regulatory Map 1.3 (the Steep and Unstable Land Special Management Area), or</p> <p>(b) 8.5 metres otherwise.</p>
<p>P2 Adequate protection must be given to the privacy of dwellings and open space areas.</p>	<p>A2.1 Buildings and open space areas are sited in accordance with the provisions of all other relevant Acceptable Solutions of this Code.</p> <p>AND</p>

² Urban Coastal Precincts are South Peregian (12), Coolum Beach (11), Mt. Coolum (10), North Shore (9), Maroochydore (1), Alexandra Heads/Cotton Tree (7), Mooloolaba (4), Mountain Creek (5), Sippy Downs (3)

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<i>P2 continued</i>	<p>A2.2 Where any part of a dwelling unit above ground storey level is within 3 metres of any side or rear boundary of the lot, that part having:</p> <ul style="list-style-type: none"> (a) no balconies overlooking adjoining (outdoor or internal) living areas, and (b) any upper storey windows which overlook adjoining residential property glazed in opaque glass or screened, or with window sills a minimum of 1.5 metres above the upper storey floor level.
P3 Buildings must have habitable rooms which are capable of receiving adequate daylight.	<p>A3 Buildings have windows which:</p> <ul style="list-style-type: none"> • face a court or other outdoor space to the sky or an open verandah, open carport or the like; or • are not less than a horizontal distance of 1.5 metres from any facing building.
P4 Each dwelling unit must have adequate storage areas and external clothes drying facilities.	<p>A4.1 A space of 8 m³ per dwelling unit is provided exclusively for storage. This space may form part of a carport or garage.</p> <p>AND</p> <p>A4.2 Open air, communal clothes drying facilities are easily accessible to all residents and visually screened from public streets and from communal streets and recreational areas.</p>
P5 The location and design of garages do not diminish the attractiveness of the streetscape.	<p>A5.1 Garages or carports, are located at the rear of the allotment</p> <p>OR</p> <p>A5.2 Garages or carports are setback a minimum of 1.5m from the main face of the associated dwelling unit, or in line with the main face of the associated dwelling unit, if the dwelling unit incorporates a verandah, portico, etc. projecting forward of the main face.</p>
<p>P6 Buildings and structures must be sited such that no significant loss of amenity to adjacent land and dwellings occurs having regard to:</p> <ul style="list-style-type: none"> • overshadowing; • privacy and overlooking; • views and vistas; • building character and appearance; • building massing and scale as seen from neighbouring premises; • the typically open or forested rural landscape in which buildings are a minor element; and • maintaining an open visual landscape dominated by natural elements, rather than built structures. 	<p>A6.1 In Residential (other than Sustainable Rural Residential), Centre, Industrial, Special Purpose and Master Planned Community Precincts the minimum street setback (including corner lots) is 6 metres (other than for garages or carports).</p> <p>AND</p> <p>A6.2 In Residential (other than Sustainable Rural Residential), Centre, Industrial, Special Purpose and Master Planned Community Precincts the minimum street setback for carports (including corner lots) is 4.5 metres.</p> <p>AND</p> <p>A6.3 In Residential (other than Sustainable Rural Residential), Centre, Industrial, Special Purpose and Master Planned Community Precincts the side and rear boundary clearance for part of the building is:</p> <ul style="list-style-type: none"> (a) where the height of that part is 4.5m or less – 1.5m; and (b) where the height of that part is greater than 4.5m but no more than 7.5m – 2m; and (c) where the height is greater than 7.5m – 2m plus 0.5m for ever 3m or part exceeding 7.5m. <p>A6.4 In Sustainable Rural Residential Precincts the minimum street setback (including garages and carports) is 10.0 metres (including corner lots).</p> <p>AND</p> <p>A6.5 In Sustainable Rural Residential Precincts the minimum side and rear setback for swimming pools, garages and carports is:</p>

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
	<p>(a) 1.5 metres (where the building is 4.5 metres in height or less), or</p> <p>(b) 2.0 metres (where the building is higher than 4.5 metres but not more than 7.5 metres), or</p> <p>(c) 2.5 metres (where the building is higher than 7.5 metres) plus 0.5 metres for every 3.0 metres or part exceeding 7.5 metres.</p> <p>AND</p> <p>A6.6 In Rural Precincts the minimum street setback (including garages and carports and including corner lots) is:</p> <p>(a) 20.0 metres (where not fronting a State Controlled Road), or</p> <p>(b) 40.0 metres (where fronting a State Controlled Road).</p> <p>AND</p> <p>A6.7 In rural Precincts the minimum side and rear boundary setback (including swimming pools, garages and carports) is:</p> <p>(a) On sites less than or equal to 2.0 hectares - 3.0 metres for all buildings, and</p> <p>(b) On sites greater than 2.0 hectares - 20.0 metres for residential buildings (ie. buildings containing habitable rooms) and 10.0 metres for all other buildings.</p>
<p>P7 Buildings and structures adjoining canals or waterways must be sited such that no significant loss of amenity to adjacent land and dwellings occurs having regard to:</p> <ul style="list-style-type: none"> • privacy and overlooking, • views and vistas, • building character and appearance, • building massing and scale as seen from neighbouring premises. 	<p>A7 For waterways (including canals) where a revetment wall exists, all building and structures higher than 1.0 metres above ground level are set back 4.5 metres from the property boundary adjoining the canal or waterway.</p>
<p>P8 An adequate area suitable for landscaping must be provided for at the front of a lot.</p>	<p>A8 Street boundary clearances are in accordance with Element 2, A5.1 and 5.2, A6.1 to A6.3 and A6.5.</p>
<p>P9 The frontage of buildings and their entries must be readily apparent from the street.</p>	<p>A9.1 Buildings adjacent to the public street address the street by having a front door and/or living room or kitchen windows facing the street.</p> <p>AND</p> <p>A9.2 Building design enables individual dwelling units to be identified from public streets.</p>

(3) Element: Private Open Space and Landscaping

PURPOSE

To provide for private open space for each dwelling which meets user requirements for outdoor activities and use, and for landscaping which enhances the appearance and use of the premises.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 Private open space has an area and dimensions which suit the requirements of occupants for relaxation, dining, entertainment, recreation and children’s play, and must provide space for service functions such as clothes drying and domestic storage.</p>	<p>A1 For each dwelling unit, the provision of private open space has a minimum area of 80m², and which has:</p> <ul style="list-style-type: none"> (a) no horizontal dimension less than 4 metres, and (b) one part with an area of at least 25 m² with a minimum dimension of 5 metres, and is not steeper than 1 in 20 (5%), and is directly accessible from the main living area of dwelling unit.
<p>P2 Private open space must be located so as to be directly accessible from the dwelling unit, to be available for maximum year-round use and to take account of outlook, natural features and surrounding buildings.</p>	<p>A2 For each dwelling unit, the provision of private open space meeting the Acceptable Measure A1 above is directly accessible from the main living area of the dwelling unit at the same level or within 0.3 metres vertical height of the floor level of the living area.</p>
<p>P3 Fences and walls are designed, erected and finished to:</p> <ul style="list-style-type: none"> • effectively define and screen private open space and service areas, such as garbage collection areas; • provide an adequate screen to living and open space areas on adjoining sites; • enable some outlook from buildings to the street for safety and surveillance; • assist in highlighting entrances; • assist in noise attenuation where necessary; • use materials which are compatible with proposed housing and with attractive visible examples of fences and walls in the streetscape (to offer a sense of continuity); and • be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas. 	<p>A3.1 Front fences and walls are no more than 1.2 metres high if solid, or up to 1.8 metres high if the fence has openings which make it not less than 50% transparent.</p> <p>OR</p> <p>A3.2 The provision of solid front fences and walls up to 1.8 metres high where the main private open space is in front of the dwelling unit, with length limited to 75% of the frontage, or where traffic volumes and/or noise exceed the environmental traffic capacity of the street, and/or 50 dB(A) during business hours.</p> <p>Provided that:</p> <ul style="list-style-type: none"> (a) some surveillance of the street is maintained from the dwelling units; and (b) fences do not exceed 15 metres in length without some articulation or detailing to provide visual interest. <p>AND</p> <p>A3.3 Front fences and walls are designed to use similar or compatible materials to that used in attractive buildings in the locality.</p> <p>AND</p> <p>A3.4 Screen fences, 1.8 metres high, along side and rear boundaries.</p>

(4) Element: Waste Management

PURPOSE

To ensure satisfactory waste management provisions are available to all residents.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 Dual Occupancies must provide adequate areas for the storage of waste and recyclable items, in appropriate containers, which are convenient to use, minimise movement of containers for servicing and are of minimal impact to the amenity of users, occupiers and neighbours of the premises.</p>	<p>A1.1 Each dwelling unit has a level area provided on the property for the permanent storage of waste and recyclable items in standard waste containers. The waste storage area is a constructed hardstand area located such that containers are not visible from passing vehicle and pedestrian traffic.</p> <p>OR</p> <p>A1.2 Where the waste storage area caters for both dwelling units, the waste storage area is:</p> <ul style="list-style-type: none"> (a) a constructed hardstand area; (b) screened by way of a screen fence or landscaping; (c) easily accessed and convenient to use; (d) has unobstructed access provided for removal of the containers to the roadside/service point for servicing; (e) not located adjacent to the living areas of existing neighbouring properties; (f) of sufficient area to fully contain the required number of waste containers; and (g) located on land over which each dwelling unit has control via access rights or ownership.

(5) Element: Acoustic Environment Amenity

PURPOSE

To ensure an appropriate acoustic environment is maintained within the site and on nearby land, without significantly detracting from visual amenity, preferred character, livability or safety of the locality.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The exposure of dwellings to noise is minimised by maintenance of the EPP (noise) Environmental values of the acoustic environment.³</p>	<p>A1 Development and use achieves compliance with the noise limits specified for the relevant noise types, as identified in Table 3.1 of <i>Planning Scheme Policy No. 7 - Acoustic Environment Assessment</i>.</p>

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³ To demonstrate compliance with this performance criterion, applicants may need to prepare a noise impact assessment in accordance with *Planning Scheme Policy No. – 7 Acoustic Environment Assessment*.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P2 Emissions of sound beyond the boundary of the site maintain the EPP (noise) Environmental values of the receiving acoustic environment of nearby residential land and other noise sensitive places⁴.</p>	<p>A2 Development and use achieves compliance with the noise limits specified for the relevant noise types, as identified in Table 3.1 of <i>Planning Scheme Policy No. 7 - Acoustic Environment Assessment</i>.</p>
<p>P3 Noise attenuation measures are compatible with the local streetscape, encourage the creation of active street frontages and are designed to discourage crime and anti-social behaviour having regard to:</p> <ul style="list-style-type: none"> • aesthetic quality and compatibility; • physical accessibility; • provision for casual surveillance of public space from dwellings; and • opportunities for concealment or vandalism. 	<p>No Acceptable Measure nominated</p>

⁴ To demonstrate compliance with this performance criterion, applicants may need to prepare a noise impact assessment in accordance with *Planning Scheme Policy No. – 7 Acoustic Environment Assessment*.

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