



# Information sheet

Sunshine Coast Planning Scheme 2014

## Dual occupancy

This information sheet has been prepared to provide a summary of the requirements for dual occupancy development under the *Sunshine Coast Planning Scheme 2014*, including when a development approval is required and which parts of the planning scheme apply.

### What is a dual occupancy?

A dual occupancy is a term for two dwellings on a single lot. In accordance with the *Queensland Planning Provisions*, under the *Sunshine Coast Planning Scheme 2014*, a dual occupancy is defined as:

*“Premises containing two dwellings on one lot (whether or not attached) for separate households.”*

A common example of a dual occupancy is a duplex.

### What is the level of assessment for a dual occupancy?

Under the *Sunshine Coast Planning Scheme 2014*, a material change of use for a dual occupancy (e.g. two new dwellings on a vacant lot, or the addition of a new dwelling constructed on the same lot as an existing dwelling) is ‘self assessable’ in the following zones:

- Low density residential zone, if not located in Precinct LDR1 (Protected housing area); and
- Medium density residential zone.

‘Self assessable’ means that the development must comply with particular requirements of the planning scheme. These requirements are called ‘self assessable outcomes’ and are contained within the codes that are applicable to the development (for example, the Dual occupancy code is the principal code that applies to dual occupancy development). If the dual occupancy complies with all of the self assessable outcomes, then no development approval for a material change of use is required to be obtained from Council.

Where self assessable development is unable to comply with one or more of the self assessable outcomes of an applicable code, then the development becomes code assessable.

In accordance with Schedule 4, Table 2, Item 2 of the *Sustainable Planning Regulation 2009*, a planning scheme *may* be prevented from making a material change of use involving certain residential buildings assessable development. It should be noted that this provision does not apply to dual occupancy development in the Sunshine Coast region, as Council has opted not to apply this item to such buildings.

Other circumstances where the level of assessment for self assessable development may be changed include:

- the development site is subject to particular local plan provisions; or

In the Sippy Downs local plan area, the level of assessment for dual occupancy is elevated to impact assessment within certain precincts.

- the development site is subject to certain mapped overlays that have the effect of changing the level of assessment.

Overlay maps are located in Schedule 2 (Mapping) of the *Sunshine Coast Planning Scheme 2014*. For a dual occupancy that is self assessable, the level of assessment *may* be elevated to code or impact assessable if the development site is subject to the acid sulfate soils overlay, airport environs overlay, biodiversity, waterways and wetlands overlay, height of buildings and structures overlay and the heritage and character areas overlay. Refer to section 5.10 (Levels of assessment – overlays) of the planning scheme to confirm whether the level of assessment is changed by these overlays.

It is important to note that all dual occupancies must obtain a development approval for building work (i.e. a ‘building approval’), even if there is no development approval required for the material change of use under the planning scheme. In the Sunshine Coast region, building approvals are issued by private building certifiers.

Under the *Sunshine Coast Planning Scheme 2014*, a material change of use for a dual occupancy is ‘code assessable’ in the Tourist accommodation zone. A dual occupancy is also code assessable in the Major centre zone, District centre zone and Local centre zone if it forms part of a mixed use development (e.g. if it is located in the same building as a non-residential use such as a shop or a restaurant). In all other zones, unless otherwise specified in local plan provisions, a dual occupancy is ‘impact assessable’.

A development approval under the planning scheme is required to be obtained from Council for code assessable and impact assessable development.

## Which properties are located in Precinct LDR1 (Protected housing area)?

Under the *Sunshine Coast Planning Scheme 2014*, Precinct LDR1 (Protected housing area) applies to properties in the Low density residential zone at the following locations:

- Beerburrum;
- Buderim (plateau);
- Caloundra (Aroona, Dicky Beach, Moffat Beach, Kings Beach and Shelly Beach);
- Caloundra West (part of Little Mountain);
- Coolum (Town of Seaside and The Boardwalk);
- Eudlo;
- Golden Beach/Pelican Waters;
- Kawana (parts of Bokarina, Minyama and Wurtulla);
- Maleny, Montville and Mapleton;
- Maroochy North Shore (parts of Marcoola, Mudjimba, Pacific Paradise and all of Twin Waters); and
- Mooloolaba.

The specific properties included in Precinct LDR1 (Protected housing area) of the Low density residential zone are shown on the zone maps in Schedule 2 (Mapping) of the *Sunshine Coast Planning Scheme 2014*.

Dual occupancy development in Precinct LDR1 (Protected housing area) of the Low density residential zone is impact assessable and is identified in the planning scheme as an inconsistent use that is not intended to occur in this particular precinct.

## What requirements does the Dual occupancy code contain?

Under the *Sunshine Coast Planning Scheme 2014*, 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.

In order to achieve this purpose, the Dual occupancy code contains requirements (performance outcomes and acceptable outcomes) for:

- location and site suitability;

- built form (building height, site cover, density, streetscape character and design, building setbacks);
- landscaping and private open space;
- safety and security;
- access and car parking;
- services and utilities; and
- filling or excavation.

## What other parts of the planning scheme apply to dual occupancy development?

If the dual occupancy is either self assessable or code assessable, and the development site is subject to a mapped overlay (for example, flood hazard, steep land), then the development *may* require assessment against the applicable overlay code(s).

If the dual occupancy is code assessable, then the development application will also require assessment against the applicable zone code and local plan code, and a limited number of other development codes in certain circumstances.

If the dual occupancy is identified as impact assessable under the *Sunshine Coast Planning Scheme 2014*, the development application for a material change of use is assessed against the entire planning scheme, to the extent relevant, and public notification of the application must be undertaken by the applicant.

Part 5 (Tables of Assessment) of the *Sunshine Coast Planning Scheme 2014* details which sections of the planning scheme a proposed development is required to be assessed against.

## Need further information?

For further information about the requirements for dual occupancy development, the *Sunshine Coast Planning Scheme 2014* is available on Council's website. Alternatively, you may contact Council directly with your enquiry.

[www.sunshinecoast.qld.gov.au/planningscheme](http://www.sunshinecoast.qld.gov.au/planningscheme)  
mail@sunshinecoast.qld.gov.au

T 07 5475 7526

Locked Bag 72 Sunshine Coast Mail Centre Qld 4560

### Disclaimer

The contents of this information sheet deals with technical matters in a summary way only and has been prepared to assist the community to understand the *Sunshine Coast Planning Scheme 2014*. Please refer to the *Sunshine Coast Planning Scheme 2014* for further detail.

© Sunshine Coast Regional Council.