

Dual Occupancy or Secondary Dwelling

FACTSHEET

What is a Dual Occupancy?

A Dual occupancy is a residential use of premises for two households involving two dwellings (whether attached or detached) on a single lot or two dwellings (whether attached or detached) on separate lots that share a common property.

What is a secondary dwelling?

A Secondary dwelling is an ancillary dwelling on the same lot as a dwelling house. Examples include structures like a 'granny flat' or 'teenager retreat'.

A Secondary dwelling may be free standing or constructed under or attached to a Dwelling house and must:

- Have a maximum gross floor area of 70m² and a total use area of 100m², excluding car parking areas;
- Be on the same lot as the main house. It cannot be subdivided or community titled at a later date;
- Retain an association with the main house, e.g. one letter box with one street number, one water meter, single utility bill.

Accepted development means the development is 'self-assessable' if it complies with the Acceptable Outcomes of the Dwelling house code and Dual occupancy codes. Additionally, if the site is affected by an Overlay (Part 8 of the Fraser Coast Planning Scheme), the development will need to comply with the relevant overlay code/s.

If the development complies with the acceptable outcomes within the relevant codes, an application to Council is not required. If the development does not comply, an application to Council would be required.

In Rural, Rural residential and Emerging community zones, a Secondary dwelling is accepted development subject to meeting the dwelling house code; whereas a Dual occupancy requires an impact assessable Material Change of Use application to Council.

Important Note: All secondary dwellings and dual occupancies require a development permit for building works, even if development approval is not required under the planning scheme. In the Fraser Coast Region, building approvals are issued by Private Building Certifiers.



Definitions

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| Total use area | For a Secondary dwelling means the sum of all areas of the secondary dwelling inclusive of walls, staircases, balconies and patios (whether roofed or not). The term does not include areas used for the access, parking and associated manoeuvring of motor vehicles. |
| Household | One or more individuals who live together in a dwelling. |
| Dwelling house | A residential use of premises involving one dwelling for a single household, a secondary dwelling and any domestic buildings associated with either dwelling. |
| Dwelling | A building or part of a building is used, or capable of being used, as a self-contained residence and contains the following: (a) food preparation facilities; (b) a bath or shower; (c) a toilet and wash basin; (d) facilities for washing clothes. |
| Infrastructure Charges | Charges apply when a subdivision (reconfiguring a lot) or material change of use occurs that generates additional demand on trunk infrastructure networks. Charges collected or assets constructed contribute to the provision of essential trunk infrastructure to service new development. |

Planning assistance

Council offers an easy to use PD Online service that provides 24 hour access to planning and development information, including site specific search capability. The Planning Scheme can also be viewed online.

Visit: www.frasercoast.qld.gov.au/assistance-advice

Enquiries can be made between 8:15am and 4:45pm Monday to Friday by phoning 1300 79 49 29 or in person at the Hervey Bay or Maryborough Customer Service Centres.

What are the differences between a Dual occupancy and a Secondary dwelling?

| | Dual Occupancy | Secondary Dwelling |
|---|---|---|
| Number of Households | Two - Each dwelling can accommodate one household. | Two - Each dwelling can accommodate one household. |
| Size | No limits apply to the size of the Dual occupancy dwellings. | To remain accepted development in residential zones the Secondary dwelling must have a maximum gross floor area of 70m ² and a total use area of 100m ² , excluding car parking areas. |
| Subdivision | A Dual occupancy can be subdivided via standard format or building format plan and sold separately. | Secondary dwellings cannot be community titled or sold separately. |
| Leasing | Each dwelling may be leased to two different households. | Each dwelling may be leased to two different households. |
| Connections to Services | Dual occupancies may have separate connections to services and/or be sub-metered. | Secondary dwellings cannot have separate connections or metering. |
| Car parking spaces | For each dwelling in a dual occupancy, space is provided for the parking of one vehicle for one or two bedroom dwelling units and two vehicles for dwellings with three or more bedrooms. Car parking spaces may be in tandem, provided at least one space is behind the minimum road setback required. | A secondary dwelling is required to provide 1 car parking space. |
| Street address | Dual occupancies will have separate street addresses (e.g. 1A and 1B) and can have separate letter boxes. | A secondary dwelling will share the same street address and letter box as the primary dwelling. |
| Rubbish collection | Each dwelling will be provided with separate rubbish bins. | One set of rubbish bins will be provided for a property rated as a Dwelling house with a secondary dwelling. Additional bins can be requested and a separate charge will be levied for these additional bins. |
| Infrastructure Charges | Generates demand for 2 dwelling units. Refer to Council's Infrastructure Charges Resolution for further information. | \$Nil infrastructure charges for a secondary dwelling. |
| Building Code of Australia compliance | Fire Separation and sound insulation measures are required to be constructed between dwelling units. | Fire Separation and sound insulation measures may be required to be constructed between dwelling units – contact your Private Certifier for more information. |
| State Govt Emergency Management Fire & Rescue Levy | Fire Group 2 | Fire Group 2, providing there are no more than 2 residential structures/units |