

Manor houses and dual occupancies (one above the other)

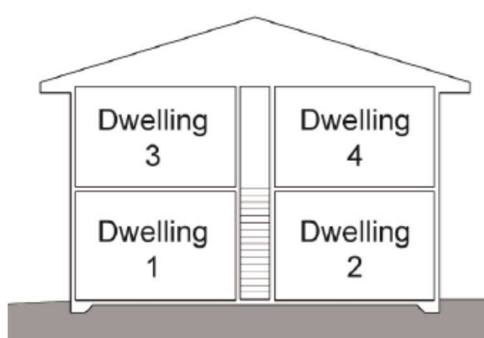
Summary of Low Rise Housing Diversity Code Development Standards

This Summary Table is intended as a guide to the erection of or alteration to a manor house or dual occupancy (one above the other) as complying development in Zones R1, R2, R3 and RU5

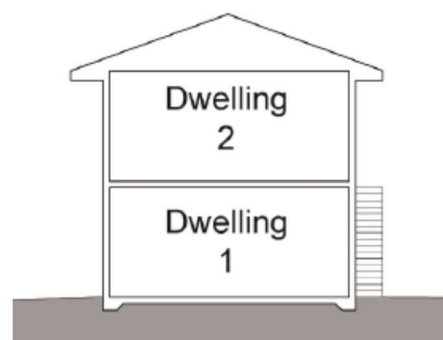
Manor house means a building containing 3 or 4 dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall or floor, and
- (b) at least 1 dwelling is partially or wholly located above another dwelling, and
- (c) the building contains no more than 2 storeys (excluding any basement).

Dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.



Example of a **Manor House**



Example of a **Dual Occupancy (attached)** where part of a dwelling is located above part of another dwelling

The development standards apply to the following types of complying development under this Code—

- (a) the erection or alteration of, or an addition to, a manor house,
- (b) the conversion of an existing dwelling to a dual occupancy,
- (c) the erection or alteration of, or an addition to, a dual occupancy (attached) where part of a dwelling is located above part of another dwelling,
- (d) the erection or alteration of, or addition to, attached development that is related to any such dual occupancy or manor house.

Summary of Low Rise Housing Diversity Development Standards



Manor houses and dual occupancies (one above the other)

Important Notes

1. Development standards for excavation, fill, retaining walls and structural supports, drainage, protected tree requirements and protection of adjoining walls associated with the development are provided under Division 6.
2. Development standards for development on bush fire prone land and flood control lots are provided under Clause 3B.4 and 3B.5.
3. Clauses 1.17A, 1.18 and 1.19(1) in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 set out additional requirements for complying development.
4. This Summary Table must be read in conjunction with all clauses under the Low Rise Housing Diversity Code (Code).

For further information contact us:

Codes Hotline – 13 77 88

codes@planning.nsw.gov.au

Disclaimer: *The information provided, including summary tables, is intended to be general information only and does not constitute professional advice and should not be relied upon as such. No liability is accepted for reliance on any information that is provided. You should seek independent professional advice and refer to the relevant legislation, including the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 before taking action, by [visiting this link](#).*

Summary of Low Rise Housing Diversity Development Standards



Manor houses and dual occupancies (one above the other)

Table 1. Summary of Development Standards for manor houses and dual occupancies (one above the other)

Clause	Development Standard	Manor Houses and Dual Occupancies (one above the other)	
3B.1 (3)	Permissibility	Permitted in R1, R2, R3 and RU5 zones. Manor houses will be permitted where either multi-dwelling housing or residential flat buildings are permitted under the relevant environmental planning instrument. Dual occupancies will be permitted where dual occupancies (attached) are permitted under the relevant environmental planning instrument (EPI).	
3B.21 (a) 3B.21 (b)	Minimum Lot Size	Minimum lot size specified for manor houses in an EPI, or 600m ² , if no minimum lot size specified in the EPI. Dual occupancies: <ul style="list-style-type: none"> • minimum lot size specified for dual occupancies in a LEP, or • 400m², if no minimum lot size specified in LEP. 	
3B.21 (c)	Minimum Lot Width	15m (measured at the building line)	
3B.22	Maximum Building Height	8.5m	
3B.23	Maximum Gross Floor Area (All Buildings)	25% of the lot area + 150m ² to a maximum of 400m ²	
3B.27	Minimum Landscaped Area	50% of the lot area minus 100m ² 25% of area forward of building and at least 50% of the area of the lot behind the building line must be landscaped 1.5m minimum length and width	
3B.30	Car Parking	One off-street parking space for each dwelling	
6.1 (2)	Concurrent Subdivision	Strata subdivision of manor houses is permitted under the Code. If strata subdivision for dual occupancies is permitted under the relevant EPI, then the strata subdivision of the dual occupancy is permitted under the Code (Subdivision can only occur where an occupation certificate for any new building or part of a building to which this Code relates has been obtained.)	
3B.24 (1), (2) & (3)	Primary Road Setback	Where existing residential accommodation is on the same side of the road and within 40m of the development – average of the two nearest residential accommodation buildings. If no residential accommodation is within 40m of the development then:	
		Lot Area	Setback
		400m ² -900m ²	4.5m
		900m ² -1500m ²	6.5m
>1500m ²	10m		
3B.24 (4) & (5)	Side Setbacks	A manor house or a dual occupancy (one above the other) must have a minimum side setback of 1.5m.	

Summary of Low Rise Housing Diversity Development Standards



Manor houses and dual occupancies (one above the other)

Clause	Development Standard	Manor Houses and Dual Occupancies (one above the other)		
		<p>For any part of a manor house or dual occupancy (one above the other) that is more than 10m behind the building line and is more than 4.5m above the existing ground level, the minimum side boundary setback is:</p> $s = h - 3m$ <p>where, 's' is the minimum setback in metres, and 'h' is the height of the part of the building in metres.</p>		
3B.24 (6)	Rear Setback	Lot area	Building height	Minimum required setback from rear boundary
		400m ² -1500m ²	0m-4.5m	6m
		>1500m ² -	0m-4.5m	10m
		400m ² -1500m ²	>4.5m-8.5m	10m
		>1500m ² -	>4.5m-8.5m	15m

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (July 2020). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.