

## **4.3**

# **Multiple Dwelling Unit, Accommodation Building and Retirement Village Code**

## 4.3 Multiple Dwelling Unit, Accommodation Building and Retirement Village Code

### (1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The purpose of the Multiple Dwelling Unit, Accommodation Building and Retirement Village Code is the achievement of the overall outcomes sought for the establishment and use of these uses in the Shire.*
- (b) *The overall outcomes sought for a Multiple dwelling unit, Accommodation building or Retirement village, are that uses and works are sited and designed so:*
- (i) *their form and appearance is compatible with the scale, character and amenity desired for the local setting,*
  - (ii) *the wellbeing, safety and lifestyle of the community is maintained,*
  - (iii) *off-site impacts are minimised to an acceptable level,*
  - (iv) *environmental, landscape and streetscape values of the locality in which they are situated are maintained,*
  - (v) *acceptable levels of privacy and amenity for residents of the premises and of adjoining premises are maintained,*
  - (vi) *they operate within the safe and effective design capacity of the utilities, transport networks and community facilities servicing the area, and*
  - (vii) *they remain conveniently accessible to commercial, community, recreational, social and emergency facilities.*

### (2) ELEMENTS:

#### (a) Site Suitability

Specific Outcome	Probable Solution
<p>O1.1 <i>Multiple dwelling units</i> are located within close or convenient accessibility to the:</p> <ul style="list-style-type: none"> <li>(1) Business and Commercial zone,</li> <li>(2) Parks and Open Space zone,</li> <li>(3) Village Centre preferred land use area, or</li> <li>(4) schools, hospitals or aged care facilities in the Urban Locality.</li> </ul>	<p>S1.1 <i>Multiple dwelling units:</i></p> <ul style="list-style-type: none"> <li>(1) are located in the:                             <ul style="list-style-type: none"> <li>1. Residential (Residential B preferred land use area) zone, or</li> <li>2. Community Expansion (Residential B preferred land use area) zone, or</li> </ul> </li> <li>(2) in the Village Locality and for two dwelling units, are located in the Village A zone adjoining the Village Centre preferred land use area, and</li> <li>(3) have property access to a bitumen seal road with planned standard of service to the nearest collector of higher order road in accordance with Table S2.2 or S2.3 of Schedule 2.</li> </ul>

**(a) Site Suitability continued**

Specific Outcome	Probable Solution
<p>O1.2 <i>Multiple dwelling units</i> are located so that a mix of housing types is accommodated in the area whilst remaining subservient to the dominant character in the setting.</p>	<p>S1.2 <i>Multiple dwelling units</i> in the Urban or Village Locality are located so a lot is not adjoined on two side boundaries by two or more <i>Multiple dwelling units</i>.</p>
<p>O1.3 An <i>Accommodation building</i> offering tourist accommodation is located for easy and safe accessibility to:</p> <ol style="list-style-type: none"> <li>(1) Urban and Village Localities,</li> <li>(2) a major road, and</li> <li>(3) community, cultural, emergency, tourist and leisure facilities.</li> </ol> <p>The site offering an <i>Accommodation building</i> for special needs accommodation is located to:</p> <ol style="list-style-type: none"> <li>(1) be conveniently accessible to any facility for which it is intended to support (e.g. college, hospital, farm), and</li> <li>(2) ensure occupants have convenient and safe access to commercial, community and emergency facilities including public open space.</li> </ol>	<p>S1.3 <i>Accommodation buildings</i> are located:</p> <p>(1) so:</p> <ol style="list-style-type: none"> <li>1. motels, hostels and special needs accommodation are in the Residential (Residential B preferred land use area) zone,</li> <li>2. guest houses, hostels and itinerant workers special needs accommodation in the Rural Locality are accessed from all-weather roads to the nearest collector or higher order road depicted on the Zone maps,</li> <li>3. guest houses are in the: <ol style="list-style-type: none"> <li>(a) Residential or Community Expansion zone,</li> <li>(b) Rural Residential zone, or</li> <li>(c) Village A zone,</li> </ol> with access to a bitumen sealed road of a planned standard of service to the nearest collector or higher order road depicted on the Zone maps in accordance with Table S2.2 or S2.3 of Schedule 2, or </li> </ol> <p>(2) if within the Business and Commercial zone or Village Centre preferred land use area, so they are:</p> <ol style="list-style-type: none"> <li>1. located above ground floor level, or</li> <li>2. to the rear of a shop front tenancy.</li> </ol>
<p>O1.4 A <i>Retirement village</i> has close, safe and convenient accessibility to:</p> <ol style="list-style-type: none"> <li>(1) shopping facilities and personal services which can meet convenience needs;</li> <li>(2) community, medical and emergency facilities; and</li> <li>(3) public transport accessing the Business and Commercial zone.</li> </ol>	<p>S1.4 A <i>Retirement village</i> is located:</p> <ol style="list-style-type: none"> <li>(1) in the Residential (Residential B preferred land use area) zone, or</li> <li>(2) in the Residential or Community Expansion zone on land within 400 metres walking distance of the edge of the Business and Commercial zone or a hospital/medical facility.</li> </ol>
<p>O1.5 <i>Retirement village</i> premises are located on land and in areas that provide easy, safe and convenient movement by pedestrians.</p>	<p>S1.5 <i>Retirement village</i> premises are located on land with slopes less than 8% gradient.</p>

**(b) Site Size and Density**

Specific Outcome	Probable Solution
<p>O2 A site has an appropriate area and dimension to accommodate activities, buildings, structures, infrastructure, services and works associated with residential premises in a manner that:</p> <ol style="list-style-type: none"> <li>(1) complements desirable streetscape and local character,</li> <li>(2) maintains a high level of amenity for on-site and adjoining occupants,</li> <li>(3) optimises efficient use of the site,</li> <li>(4) protects legitimate commercial rural activities in the area, where a site abuts the Rural Locality, and</li> <li>(5) in unsewered areas, prevents movement of contaminants off the site.</li> </ol>	<p>S2.1 If for a <i>Multiple dwelling unit</i>, the site has site design factors as per Table S2.1 at the end of this Code.</p> <p>S2.2 Where in the Rural Locality, buildings and structures used for accommodation are sited no closer than 100 metres to any boundary which adjoins land:</p> <ol style="list-style-type: none"> <li>(1) used for commercial rural production, or</li> <li>(2) that is Class A or B land as shown in SMOA map 2D.</li> </ol> <p>S2.3 If for an <i>Accommodation building</i>, the site has a minimum area of 800m<sup>2</sup> and a road frontage of at least 20 metres where in Council sewerage scheme area.</p> <p>S2.4 If for a <i>Retirement village</i>, the site is dimensioned and sized to allow the long axis of buildings to be oriented east/west with main outdoor activity areas being on a north and east orientation.</p>
<p>O3 Residential premises:</p> <ol style="list-style-type: none"> <li>(1) are adequately serviced by on-site parking in a safe, attractive and functional manner,</li> <li>(2) have direct, safe, practical and trafficable access to a public road without impacting on local amenity and character or the safe and effective movement of passing traffic, and</li> <li>(3) are adequately serviced by essential utility infrastructure.</li> </ol>	<p>S3.1 Residential premises are provided with:</p> <ol style="list-style-type: none"> <li>(1) water supply and sewerage to the planned standard of service and construction nominated in Division 3 of Schedule 2,</li> <li>(2) a road frontage constructed to the planned standard of service and construction for reserve/carriageway width, drainage and footpaths nominated in Division 1 of Schedule 2, and</li> <li>(3) if in the Rural Locality, a road frontage connected between the property access point of the premises and the nearest higher order road nominated on the Zone maps by a formed, constructed and gazetted public road with a planned standard of service in accordance with Table S2.1 of Schedule 2.</li> </ol> <p>S3.2 Vehicle parking is provided on-site in all Localities except in the Village Locality, at the rate specified in Schedule 1 Table S1.1 and with design and construction in accordance with Division 2, Schedule 1.</p>

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		<p>S3.3 Site ingress and egress comprises:</p> <ol style="list-style-type: none"><li>(1) one (1) access point,</li><li>(2) a vehicle crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2, and</li><li>(3) arrangements so motorists can enter or reverse from a lot in a single movement without having to cross the verge area of another property, except where an access easement applies.</li></ol>
O4	<p>The number of dwelling or rooming units developed on the site is consistent with the:</p> <ol style="list-style-type: none"><li>(1) desired character of the area in which it is located,</li><li>(2) site's physical conditions,</li><li>(3) environmental characteristics of the setting, and</li><li>(4) infrastructure capacity servicing the site or area.</li></ol>	<p>S4.1 The maximum number of persons resident on site in a seweried area (including seweried by a common effluent drainage system) does not exceed:</p> <ol style="list-style-type: none"><li>(1) 200 persons per site hectare where within 400 metres of the edge of the Commercial and Business zone, or</li><li>(2) in all other circumstances, 100 persons per hectare,</li></ol> <p>where the occupancy rates are defined in Table S3.1 at the end of this Code.</p>

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**(c) Building Siting and Design**

Specific Outcome	Probable Solution
<p>O5 Residential buildings are sited and designed so the amenity of on-site and adjoining residents and the character of the setting is maintained to an acceptable level, so:</p> <ol style="list-style-type: none"> <li>(1) overshadowing of habitable rooms and outdoor entertainment areas is minimised,</li> <li>(2) direct overlooking of indoor and outdoor living areas is minimised, including by screen landscaping,</li> <li>(3) residents have an adequate sense of visual or acoustic privacy,</li> <li>(4) the bulk and mass of buildings is in scale with the setting, and</li> <li>(5) outlook is maximised.</li> </ol>	<p>S5.1 Windows to habitable rooms on the site face onto an open area on the site of at least 1.5 metres deep.</p> <p>S5.2 A minimum separation is provided between windows of habitable rooms on the site which face windows to habitable rooms or the outdoor living areas for dwelling units on adjoining land of:</p> <ol style="list-style-type: none"> <li>(1) 9 metres for ground floor units, and</li> <li>(2) 12 metre where for units on and above the first floor level.</li> </ol> <p>S5.3 Direct views into the private open space areas or habitable rooms of dwelling units on adjoining land are screened by:</p> <ol style="list-style-type: none"> <li>(1) a minimum 1.8 metre high solid screen fence or wall; or</li> <li>(2) a 2 metre deep screen landscaping, along the common boundaries of the site.</li> </ol> <p>S5.4 In all but the Rural Locality, new buildings and structures (other than eaves, awnings and stairs):</p> <ol style="list-style-type: none"> <li>(1) are aligned with or are within 20% of the average set back of adjoining buildings characterising the street, or are set back a minimum of: <ol style="list-style-type: none"> <li>1. 6 metres to any road carrying more than 3000 vehicles per day, and</li> <li>2. 3 metres to any other road,</li> </ol> </li> <li>(2) other than as provided for in S4.2 above, are set back: <ol style="list-style-type: none"> <li>1. 6 metres to any adjacent dwelling unit, or</li> <li>2. a distance of a third of the height of the building or structure located along any side boundaries, and</li> <li>3. at least 4 metres to rear boundaries,</li> </ol> </li> <li>(3) provide for garages or carports at: <ol style="list-style-type: none"> <li>1. the rear of the premises,</li> <li>2. ground level below the dwelling units, or</li> <li>3. the main façade of the dwelling units, and</li> </ol> </li> <li>(4) have a maximum unarticulated length of 15 metres of the principal road frontage.</li> </ol>

**(c) Building Siting and Design continued**

Specific Outcome	Probable Solution
	<p>S5.5 Noise mitigation for premises located beside a sub-arterial or a higher order road or a rail line ensures noise does not exceed 55dB(A) L10 (18hrs) at the building façade.</p> <p>S5.6 Public restaurant facilities associated with an <i>Accommodation building</i> are provided only where the premises are sited within or adjoining the Business and Commercial zone.</p> <p>S5.7 Residential buildings are not more than 40metres long, with separations between buildings on the site being no less than 3 metres in width.</p> <p>S5.8 Where any of the following for the premises, namely:</p> <ol style="list-style-type: none"> <li>(1) driveway, vehicle movement areas or car parking,</li> <li>(2) service or utility areas,</li> <li>(3) any plant machinery/equipment area (other than roof or wall mounted room air conditioner), or</li> <li>(4) communal outdoor recreation, activity or congregation area,</li> </ol> <p>adjoin habitable rooms and outdoor living areas on adjoining sites, provision is made along the common boundary for:</p> <ol style="list-style-type: none"> <li>(1) a solid visual screen fence of 1.8 metres height, or</li> <li>(2) screen landscaping that is at least 2 metres deep.</li> </ol>
<p>O6 Residents are provided with convenient on-site access to adequate domestic storage facilities and clothes drying areas.</p>	<p>S6.1 For 3 or more dwelling or rooming units:</p> <ol style="list-style-type: none"> <li>(1) a storage space, which may form part of a garage or carport, and which has a minimum dimension of 8m<sup>3</sup>, is provided for each dwelling unit, or</li> <li>(2) private or communal storage space of at least 2m<sup>3</sup> per unit is provided for any site with rooming unit accommodation, and</li> <li>(3) open air, private or communal clothes drying facilities are accessible to all site residents and are screened from public streets, communal recreation areas and neighbouring residential properties.</li> </ol>

**(d) On-site Landscaping and Open Space**

Specific Outcome	Probable Solution
O7 (1) Sufficient and useable communal and private open space for resident's needs is available at or near the units for year round use. Landscaping of open space is provided to maximise:	S7.1 Communal open space for <i>Multiple dwelling units</i> (3 or more dwelling units) is provided at ground level over an area of 30% of the site with at least one continuous area of not less than 60m <sup>2</sup> (having a minimum dimension of 5 metres).
<ol style="list-style-type: none"> <li>1. attractive outlook and site amenity in the site,</li> <li>2. buffering and screening to incompatible activities,</li> <li>3. protection of landform in visually and environmentally sensitive areas,</li> <li>4. protection of natural features,</li> <li>5. shading of activity areas,</li> <li>6. visual interest, and</li> <li>7. enhancement or complementary appearances relative to the local streetscape and landscape character.</li> </ol>	<p>S7.2 Private open space for any <i>Multiple dwelling unit</i> is directly accessed from the main living room in each unit and consists of:</p> <ol style="list-style-type: none"> <li>(1) <i>for ground floor units</i> – an area of not less than the following for each dwelling unit: <ol style="list-style-type: none"> <li>1. <i>for 3 or more units</i> - 20m<sup>2</sup> (having no dimension less than 4 metres); or</li> <li>2. <i>for 2 dwelling units</i> - 50m<sup>2</sup> with the main recreation/outdoor living area having no dimension less than 5 metres and providing for clothes drying, and</li> </ol> </li> <li>(2) <i>for each above-ground dwelling unit</i> - a balcony having a minimum area of 15m<sup>2</sup> with a minimum width of 3 metres.</li> </ol>
	S7.3 For <i>Accommodation buildings</i> , an area of not less than 20% of the total area of the site is landscaped with at least one continuous area of not less than 60m <sup>2</sup> with a minimum dimension of 5 metres as suitable for active recreation and outdoor entertainment.
	<p>S7.4 The provision of landscape and recreation areas for a <i>Retirement village</i> is not less than 35% of the area of the site. Where provided as part of the unit, provision is made:</p> <ol style="list-style-type: none"> <li>(1) <i>for each ground floor unit</i> - a courtyard or similar private open space area, directly accessible from the living area of the unit and with a minimum area of 20m<sup>2</sup> and no dimension less than 3m; and</li> <li>(2) <i>for each above ground unit</i> - a balcony or similar private open space area, directly accessible from the living area of the unit and with a minimum area of 10m<sup>2</sup> and no dimension less than 2.5m.</li> </ol>
	S7.5 For all but <i>Multiple dwelling unit</i> (two dwelling units), a minimum 2 metre wide landscaped area is provided adjacent to all road frontages (excluding access driveways).

**(d) On-site Landscaping and Open Space continued**

Specific Outcome	Probable Solution
(2) Additionally, for <i>Retirement Villages</i> provision is also made for common indoor community and recreation areas that have facilities suitable for use for recreational and social events, and is of a size adequate to meet the needs of residents on the site.	S7.6 For a <i>Retirement Village</i> , an indoor communal area, having a minimum size of 1m <sup>2</sup> for each bedspace (but not less than 25m <sup>2</sup> overall), is provided on the site and is equipped with, at least, toilet, kitchen or kitchenette and storage facilities.

**(e) Road Front Fences and Walls**

Specific Outcome	Probable Solution
08 Road front fences and walls are designed and sited to: <ol style="list-style-type: none"> <li>(1) ensure effective screening (visual and acoustic) to residents,</li> <li>(2) complement the streetscape and character of the area,</li> <li>(3) minimise the creation of security risk areas, and</li> <li>(4) provide visual interest.</li> </ol>	S8.1 The provision of solid front fences and walls up to 1.8 metres high where: <ol style="list-style-type: none"> <li>(1) the main private open space is in front of the dwelling unit, with length limited to 75% of the frontage, or</li> <li>(2) noise from traffic on frontage roads exceed 50 dB(A).</li> </ol> Provided that: <ol style="list-style-type: none"> <li>(1) residents can survey the street from the main living areas, and</li> <li>(2) road frontage fences or walls do not exceed 15 metres in length without a 1 metre by 0.5 metre indent.</li> </ol>

**(f) Satellite Dishes**

Specific Outcome	Probable Solution
09 Satellite dishes or aerials must not be visually obtrusive or prominent in terms of size, position, colour or cumulative effects relative to views from surrounding dwellings or public places.	S9.1 Not more than one satellite dish is provided on the premises. S9.2 The diameter of any satellite dish is not more than 1.2 metres. S9.3 The top of the dish structure is at a height of not more than 10.5 metres above ground level.

**(g) Safety & Wellbeing for Retirement Villages**

<b>Specific Outcome</b>	<b>Probable Solution</b>
O10 Appropriate lighting is provided to allow clear visibility along all pedestrian paths between public and communal areas, parking areas and building entries (without causing a glare nuisance for dwellings); while building entries must provide a sense of security for both residents and visitors.	S10.1 Bollard or overhead lighting is provided along: <ol style="list-style-type: none"> <li>(1) all footways,</li> <li>(2) all internal roads, and</li> <li>(3) through all car parking areas,</li> </ol> within the site which achieve lighting levels of at least Category B under Section 5 of <i>AS/NZS 1158.0: 1997</i> . S10.2 In residential buildings, shared entries serve a maximum of eight dwellings.
O11 Landscaping is designed so as to minimise potential for any security risks around parking areas, paths and building entries.	S11.1 Landscaping along paths and near building entries and car parking areas use plant species without foliage between the heights of 0.5 metres and 1.8 metres.
O12 The site and individual dwellings must be clearly identifiable by visitors and emergency vehicles.	S12.1 Clear directional on-site signage is provided where the premises comprise more than 10 dwelling units.

**(h) Accessibility for Accommodation Building and Retirement Village**

<b>Specific Outcome</b>	<b>Probable Solution</b>
O13 Premises are developed for easy pedestrian and wheelchair access throughout the site.	S13.1 No dwelling is more than 250 metres walking distance from a site entry/exit point. S13.2 All paths and land used for outdoor recreation have grades not greater than 5%.
O14 Screened garbage bin storage areas are conveniently available to residents.	S14.1 Enclosed garbage bin storage areas are: <ol style="list-style-type: none"> <li>(1) provided for individual dwelling units, or</li> <li>(2) communally so they are not more than 50 metres from the units they serve or on each floor of a multi-storey building.</li> </ol>

**TABLE 2.1 – Site Design Factors for Multiple Dwelling Units (MDUs) and Retirement Villages**

Location & No. Units <sup>1</sup>	Minimum Area (metres squared)	Minimum Frontage (metres)	Maximum Site Coverage (%)
<b><i>In Council sewered area for:</i></b>			
<b><i>1. MDUs</i></b>			
• <i>up to 2 units</i>	600	18	50
• <i>3 or more units within the area prescribed in S1.1 above</i>	800	20	60
• <i>3 or more units other than within the area prescribed in S1.1 above</i>	1000	25	50
<b><i>2. Retirement Village</i></b>	2000	-	50
<b><i>Outside Council sewered areas</i></b>			
	2000 per unit	-	20

**TABLE S 3.1 – Occupancy Rates for Multiple Dwellings or Accommodation Buildings (inc Retirement Villages)**

Bedrooms per Units	Persons per Unit
<b><i>Multiple Dwelling Unit:</i></b>	
• <i>One (1)</i>	1.7 persons per dwelling unit
• <i>Two (2)</i>	2.4 persons per dwelling unit
• <i>Three (3)</i>	3.0 persons per dwelling unit
<b><i>Accommodation Building:</i></b>	2 persons per rooming unit

<sup>1</sup> This refers to land located inside areas provided with reticulated town sewerage as well as an area with common effluent drainage and reticulation to a package treatment plant.