

## **From The Hills LEP 2019**

### **4.1C Subdivision of dual occupancies**

- (1) The objectives of this clause are as follows—
  - (a) to not allow development consent to be granted for the subdivision of certain dual occupancies,
  - (b) to maintain the prevailing character of lower density residential areas.
- (2) Despite any other provision of this Plan, development consent must not be granted for the subdivision of land on which a dual occupancy is erected, or proposed to be erected, if the subdivision would result in each of the dwellings that comprise the dual occupancy being located on separate lots unless—
  - (a) the dual occupancy was erected, or the building work for the erection of the dual occupancy had commenced, before 5 December 2012, and
  - (b) the erection was, or is being carried out, under a development consent granted before 18 October 1996, and
  - (c) the plans approved by the development consent showed parts of the building as being intended for separate occupation, and
  - (d) the subdivision would create lots that substantially correspond with the parts shown on those plans as being for separate occupation, and
  - (e) the land is being subdivided under a strata plan.

## **From Randwick LEP 2012**

### **4.1D Subdivision of dual occupancies (attached) in Zone R2**

- (1) This clause applies to a dual occupancy (attached) on land in Zone R2 Low Density Residential for which development consent was granted before 6 July 2018.
- (2) Despite any other provision in this Plan, development consent may be granted for the subdivision of a dual occupancy to which this clause applies if the development meets the standards specified in the following provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008—
  - (a) for strata subdivision—clause 6.2, or
  - (b) for Torrens title subdivision—clause 6.4.

## **From Willoughby LEP**

### **4.1C Minimum subdivision lot size for dual occupancies**

- (1A) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot on which there is a dual occupancy except in accordance with this clause.
- (1B) Development consent may be granted to the subdivision of a lot on which there is a dual occupancy if the size of any lot resulting from the subdivision is not to be less than the minimum size shown on the Lot Size Map in relation to that lot.
- (1) Development consent may also be granted to the subdivision of a lot on which there is a dual occupancy if—
  - (a) the lot is not a lot in the area identified as “Area 1” on the Dual Occupancy Restriction Map, and
  - (b) the area of each lot resulting from the subdivision is at least 350 square metres, and
  - (c) each of the resulting lots will have one of the dwellings on it, and
  - (d) the floor space ratio of each dwelling does not exceed—
    - (i) 0.4:1, or
    - (ii) any floor space ratio specified under clause 4.4A for a building on the lot, whichever is the lesser, and
  - (e) a final occupation certificate was issued for the dual occupancy at least 5 years before the development consent is granted.