



New South Wales

State Environmental Planning Policy (Housing) Amendment (Dual Occupancies and Semi-detached Dwellings) 2024

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

State Environmental Planning Policy (Housing) Amendment (Dual Occupancies and Semi-detached Dwellings) 2024

under the

Environmental Planning and Assessment Act 1979

1 Name of policy

This policy is *State Environmental Planning Policy (Housing) Amendment (Dual Occupancies and Semi-detached Dwellings) 2024*.

2 Commencement

This policy commences on 1 July 2024 and is required to be published on the NSW legislation website.

3 Repeal of policy

This policy is repealed at the beginning of the day following the day on which this policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Housing) 2021

Chapter 3 Diverse housing

Insert after Part 11—

Part 12 Dual occupancies and semi-detached dwellings in Zone R2

141A Aim of part

The aim of this part is to encourage development for the purposes of dual occupancies and semi-detached dwellings in Zone R2 Low Density Residential.

141B Land to which part applies

- (1) This part applies to the whole of the State, other than the following land—
 - (a) bush fire prone land,
 - (b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of *State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 2,
 - (c) land in a Transport Oriented Development Area under Chapter 5,
 - (d) land that comprises a heritage item or on which a heritage item is located,
 - (e) the following local government areas—
 - (i) Bathurst Regional,
 - (ii) City of Blue Mountains,
 - (iii) City of Hawkesbury,
 - (iv) Wollondilly,
 - (f) flood prone land in the Georges River Catchment and Hawkesbury-Nepean Catchment under *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, Chapter 6,
 - (g) land in a flood planning area in the following local government areas—
 - (i) Armidale Regional,
 - (ii) Ballina,
 - (iii) Bellingen,
 - (iv) Byron,
 - (v) City of Cessnock,
 - (vi) Clarence Valley,
 - (vii) City of Coffs Harbour,
 - (viii) Dungog,
 - (ix) Goulburn Mulwaree,
 - (x) Kempsey,
 - (xi) Kyogle,
 - (xii) City of Lismore,
 - (xiii) City of Maitland,
 - (xiv) Nambucca Valley,

- (xv) City of Newcastle,
 - (xvi) Port Stephens,
 - (xvii) Queanbeyan-Palerang Regional,
 - (xviii) Richmond Valley,
 - (xix) City of Shoalhaven,
 - (xx) Singleton,
 - (xxi) Tweed,
 - (xxii) Upper Hunter Shire,
 - (xxiii) Walcha,
 - (h) land in an ANEF contour or ANEC contour of 20 or greater,
 - (i) land within 200m of a relevant pipeline within the meaning of *State Environmental Planning Policy (Transport and Infrastructure) 2021*, section 2.77.
- (2) In this section—
- ANEC contour* has the same meaning as in *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*, section 4.17.
- ANEF contour* has the same meaning as in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- flood planning area* and *flood prone land* have the same meaning as in the *Flood Risk Management Manual*.

141C Development permitted with development consent

Development for the purposes of dual occupancies and semi-detached dwellings is permitted with development consent in Zone R2 Low Density Residential on land to which this part applies.

Schedule 2 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Clause 1.19 Land on which complying development may not be carried out

Insert after clause 1.19(3A)—

- (3B) Development specified in the Low Rise Housing Diversity Code is not complying development under that code if the development is—
 - (a) for the purposes of dual occupancies, and
 - (b) carried out on land in Zone R2 Low Density Residential, and
 - (c) permitted with development consent under *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 12 but not under another environmental planning instrument.