

Secondary Dwellings Consultation Paper

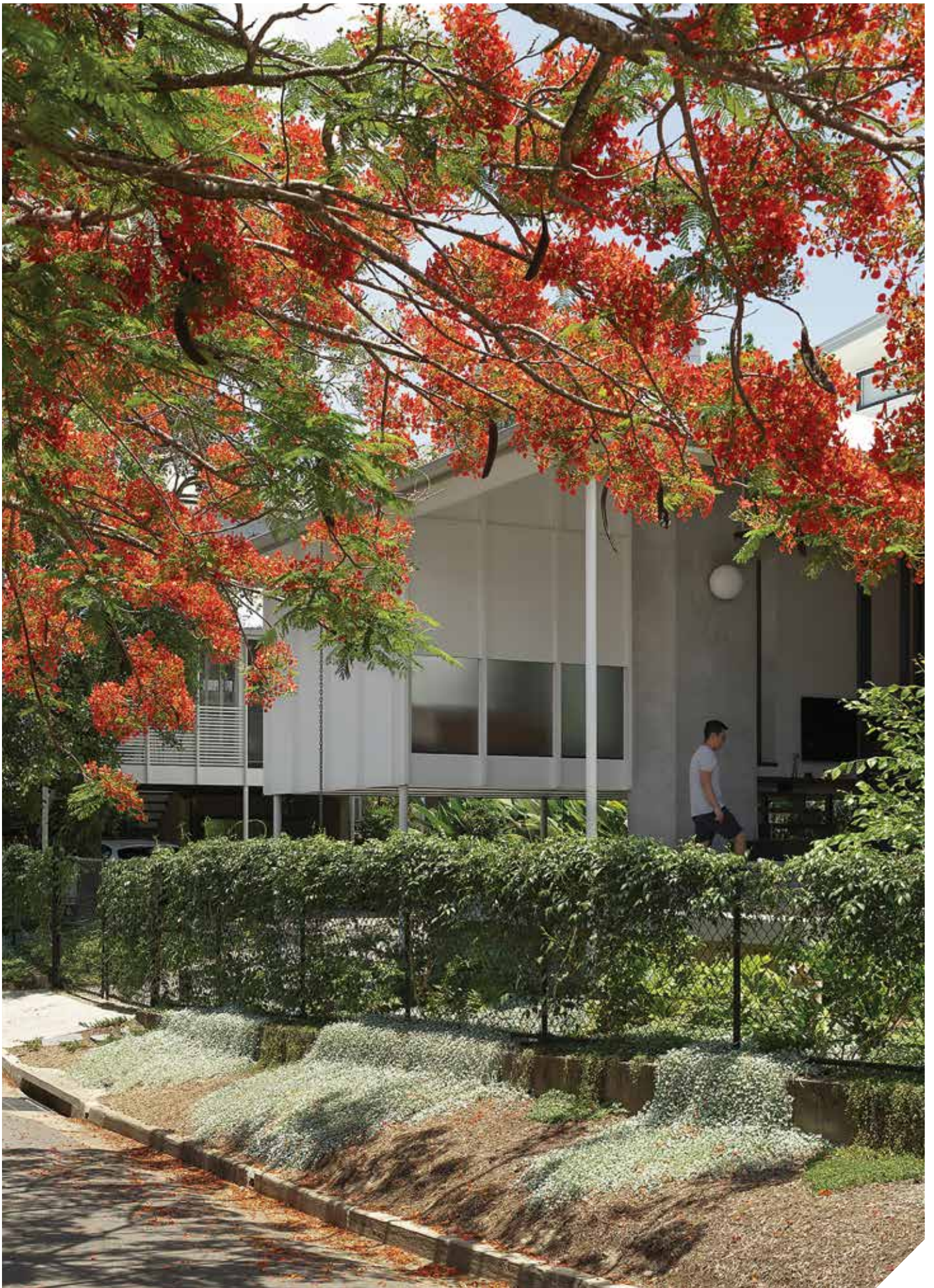
PART OF THE DISTINCTLY
QUEENSLAND DESIGN SERIES

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Department of Housing, Local
Government, Planning & Public Works



Queensland
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Queensland Character

Queensland boasts diverse regions and environments including coastal, inland outback, major cities, and tropical far north; and consists of four climate zones.

The design of our homes and the way we live has evolved over time in response to climatic conditions, human and cultural needs, available building resources and the changing physical environment.

The delivery of good design is important to positively contribute to the creation of liveable places. The role of design is increasingly critical in shaping these places across a rapidly changing region. In accommodating a growing population and as we gently increase density, it is important to ensure that we protect and value what is important to the distinctly Queensland lifestyle.

Seven principles have been developed to ensure the provisions in the Distinctly Queensland Design Series are fit-for-purpose and can facilitate the housing that Queensland communities need now and in the future.

1

Orientation

Orientate buildings to respond to their climate.

5

Street address/character

Contribute to the street character and connect to the surrounding neighbourhood. Responsive to unique context and activation of street to strengthen the sense of safety and community.

2

Passive design

Reduce reliance on artificial light and air-conditioning through provision of shading devices, maximisation of openings, and operable/ flexible elements allowing for cross-ventilation.

6

Adaptable

Create housing that can easily adapt to changing lifestyles and households needs. Comfortable and flexible housing that can support living, working, recreation and community.

3

Good neighbours

Share access to daylight and balance the scale of built form with natural landscapes. Maximise provision of amenity and privacy.

7

Resilient

Ensure housing reduce impacts on the environment and landscape. Housing should reduce impact to stormwater flow, urban heat island effect and natural system. Climate responsive design that reduces disaster recovery time and keeps people safe and in place.

4

Outdoor living

Create strong connections to the outdoors and increase amenity. Cool, shady places and access to green.



More homes for Queenslanders

Queensland is experiencing housing challenges where there are not enough homes to keep up with demand. People right across the state are finding it tough to afford or find a house to rent or buy that meets their needs.

In response to this pressure, the Queensland Government's Homes for Queenslanders plan, has committed to working with industry, local government and the community to support the delivery of more homes, faster. The Distinctly Queensland Design Series is a key action within Pillar 1 of the plan focussed on delivering a range of different types of homes which reflect our uniquely Queensland lifestyle in the places where people want to live and work.

One of the many solutions we are exploring is improvements to our planning system to encourage the delivery of more homes in the right locations. We want to provide both certainty to invest in Queensland's housing sector, and quality housing outcomes and choice for our diverse communities.

The first stage of the Distinctly Queensland Design Series is focussed on clarifying, streamlining and simplifying the development of secondary dwellings across the State.

The Distinctly Queensland Design Series

A diverse community like Queensland needs diverse housing so that people have a choice about where and how they live across their different life stages, incomes and circumstances – from people entering the housing market in their first home, to those seeking to downsize. Everyone should have access to a safe, secure, and quality home.

The Distinctly Queensland Design Series is focussed on ensuring that the State's land use planning framework supports housing choice and diversity, while protecting what we love about the Queensland lifestyle. It aims to provide simple, clear, easy to understand and use planning codes that ensure consistency across design and siting requirements for the development of housing in Queensland.



What is a Secondary dwelling?

A secondary dwelling is a small and self-contained home on the same site where there is already a house. They are commonly known as granny flats. Secondary dwellings can be attached to or separate to the other home, but they are always located on the same lot.

Secondary dwellings that meet the planning framework definition and obtain the necessary building approvals provide a safe, liveable, and quality choice of home for small households.

They are an important housing type as they offer an opportunity to gently increase density in established communities, without significantly impacting neighbouring properties or the surrounding area. They help to maximise the use of existing infrastructure and allow people to age in place, families to co-locate, or even provide a source of income.

In 2022, the Queensland Government made changes to the Planning Regulation 2017 (Planning Regulation) to remove restrictions on who can live in secondary dwellings and enabled homeowners to rent out secondary dwellings. This provided opportunities for more new homes for people to rent in well-located areas amongst existing homes.

We will review the definition

Since the 2022 amendment to the Planning Regulation, we have heard that the requirement for a secondary dwelling to be ‘used in conjunction with’ the primary dwelling has created unnecessary confusion given the removal of the need for occupants to be related. We will review the definition to ensure it is workable.

An overview of the changed provisions

Right now, the regulation of secondary dwellings is largely controlled through local government planning schemes. Across Queensland, different councils have varying controls for this type of development.

The proposed provisions provide clear design and siting requirements for secondary dwellings with the aim to create a consistent and streamlined approval process across the State to accelerate the delivery of new homes. This is intended to make it easier to assess and build secondary dwellings, and provide certainty to the community, local governments, and industry as to what constitutes an appropriate secondary dwelling.

The new provisions regulate the siting, size, height and design of a secondary dwelling, the interaction between a primary and secondary dwelling, and the use of the lot.

Where will the new secondary dwelling provisions apply?

The proposed new provisions for secondary dwellings, would apply in residential zones (other than medium

density or high density residential zones), emerging community zones, rural residential zones and rural zones.

Land owners may propose a secondary dwelling on land not included in these zones, but it would not be subject to these provisions and instead may be assessable against the Local Planning Scheme.

Summary of the provisions

The proposed provisions are summarised in the table below. They ensure:

- That the secondary dwelling is smaller in size than the primary home on the lot
- That the location of a secondary dwelling at the front, side or rear of a primary dwelling guides the design of the secondary dwelling
- Privacy and amenity between the two homes on the lot and neighbouring homes is maintained (including building height)
- Reasonable private and communal outdoor living space is provided; and
- Essential considerations for the secondary dwelling for parking and driveway access.

The secondary dwelling:

Gross floor area

- 80m² on a lot less than 1,000m² and
- 100m² on a lot 1,000m² or greater

Maximum height

- 8.5m and
- 4.5m where in the first 5m from a road frontage

Setbacks

- Front, side and rear setbacks

Outdoor living

- Minimum outdoor living area provisions with a percent of unroofed area

Design

- A minimum of two design measures

Liveability

- Connection to services

The lot, location and interaction:

Attached or at **least 2m** from the primary dwelling; and in a Rural zone, a **maximum 20m** from the primary dwelling

Visual privacy consideration

Same **street address** as the primary dwelling and a **pedestrian connection** is provided from the primary road frontage

No additional **carparking** if two spaces are already on the lot, otherwise, one additional carpark



Future implementation

Planning approvals

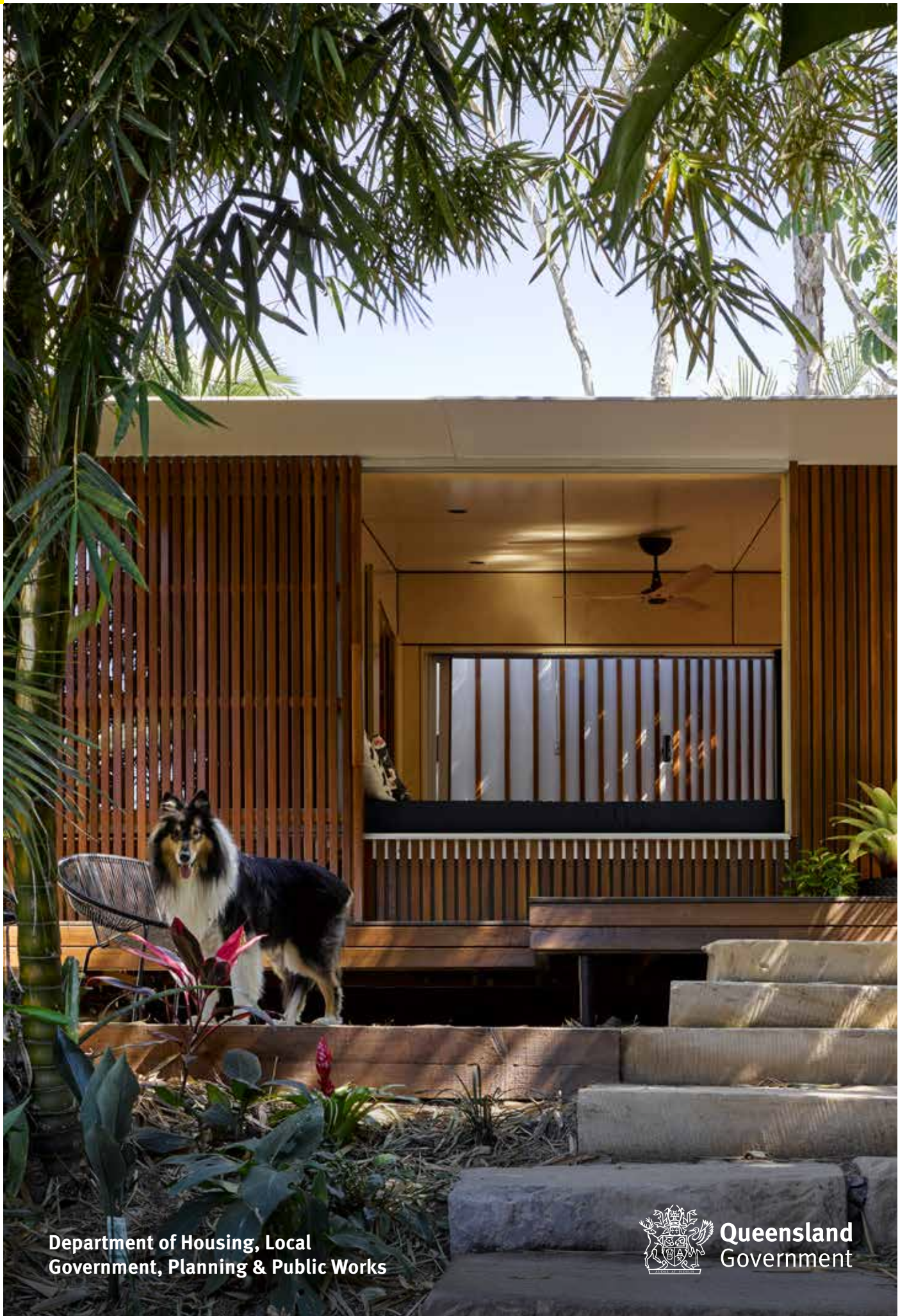
It is intended that these design and siting provisions will become the State Code, with assessment pathways to be embedded in the Planning Regulation.

Following consultation, we will investigate legislative pathways to implement this code into the planning and building legislative frameworks as a state-wide consistent State Code for the assessment of secondary dwellings where compliant with specific locational requirements.

It is intended that any proposal for a secondary dwelling would continue to require the necessary building approvals and permits including those under the National Construction Code, Local Planning Schemes or others such as a plumbing and drainage permit under the *Plumbing and Drainage Act 2018*.

Get in touch

If you have any questions about the new secondary dwellings provisions or wish to provide feedback please refer to the Engagement HQ portal for more information.



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