

SECONDARY DWELLINGS

INFORMATION SHEET

SEPTEMBER 2022

This Information Sheet aims to provide guidance in relation to the Secondary dwelling definition and assist you in your understanding of this development type. This will also assist people that are establishing a new Secondary dwelling or looking to buy or live in a property with a Secondary dwelling.

What is a Dwelling house, a Secondary dwelling and a Dual occupancy?

In September 2022, changes were made to certain land use definitions by the Queensland Government in the *Planning Regulation 2017*. This has meant that definitions and terms in the MBRC Planning Scheme are no longer relevant and instead, the terms in Schedule 24 of the *Planning Regulation 2017* apply.

The relationship between different housing types can be confusing and consequently you should seek your own independent legal and town planning advice in relation to these matters. The following however, seeks to provide some guidance in relation to the different housing types and their definitions.



The relevant definitions are:



A Dwelling house:

Dwelling house means a residential use of premises involving—

- 1 dwelling and any domestic outbuildings associated with the dwelling; or
- 2 dwellings, 1 of which is a secondary dwelling, and any domestic outbuildings associated with either dwelling.



A Secondary dwelling:

Secondary dwelling means a dwelling on a lot that is used in conjunction with, but subordinate to, another dwelling on the lot, whether or not the dwelling is—

- attached to the other dwelling; or
- occupied by individuals who are related to, or associated with, the household of the other dwelling.



A Dual Occupancy:

Dual occupancy

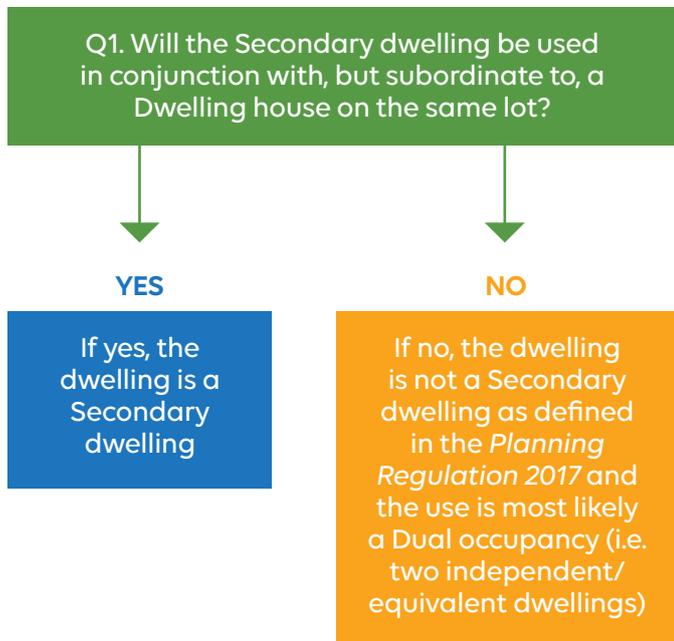
- means a residential use of premises involving—
 - 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and
 - any domestic outbuilding associated with the dwellings; but
- does not include a residential use of premises that involves a secondary dwelling.

SECONDARY DWELLINGS

INFORMATION SHEET

Is my development a Secondary dwelling?

The way a Secondary dwelling is designed and used is important in distinguishing it from a Dual occupancy. The following diagram provides guidance as to whether your development is a Secondary dwelling:



In answering this question, consider whether:

- Both dwellings share common services and vehicle access (e.g. utilities, metering, street number, letterbox, and driveway).
- Both dwellings have unrestricted access to on-site private open space and allocated off-street parking.
- The Secondary dwelling is smaller in size and subordinate to (meaning of lesser scale and intensity) than the primary dwelling.

What approvals do I need?

Approvals are needed for a Dwelling house and Secondary dwelling. The type of approval you will need depends on the design of your development. Typically, this is:

- Building and plumbing approvals if you meet all standard requirements
- Town planning, building and plumbing approvals if you cannot meet all requirements

The design requirements are different for certain zones/precincts in the planning scheme. For zoning information visit:

- [My property look up](#)

There are standard requirements for a Dwelling house and Secondary dwelling that need to be met - these are things like how much of the site can be used for buildings, how close to the side and back boundaries the buildings can be, and how high the buildings can be.

There are also some requirements that are special to Secondary dwellings, which are shown on the table to the right.

Contact Council on (07) 3205 0555 for information about the application requirements, approval process and design standards that may apply to your property.

What design standards do I need to meet?

Secondary dwelling	
How many?	One (1) secondary dwelling per property
Size	<p>General residential zone:</p> <ul style="list-style-type: none"> • Maximum GFA of 45m² for a lot with a primary frontage of less than 15m, OR Maximum GFA of 55m² for a lot with a primary frontage of 15m or more. <p>Rural zone or Rural residential zone:</p> <ul style="list-style-type: none"> • Maximum GFA of 100m² for all lots. <p><small>*Note there are exceptions to this if the site is located within the Hamlet Precinct.</small></p>
Design	<p>General residential zone:</p> <ul style="list-style-type: none"> • Complies with standard 'Dwelling house' requirements such as site cover, boundary setbacks and height • Must be located behind the primary dwelling (appear like a single dwelling from the street); and • Must be located within 10m of the primary dwelling. <p>Rural residential zone:</p> <ul style="list-style-type: none"> • Must be located within 50m of the primary dwelling
Car parking	<p>General residential zone:</p> <ul style="list-style-type: none"> • One (1) designated car parking space, <u>in addition</u> to those required for the primary dwelling and co-located with the parking for the primary dwelling.
Address/ Services	<ul style="list-style-type: none"> • Shared driveway, one meter and shared services/ utilities, only one street number and letterbox to the primary dwelling.