

Dwelling houses and dual occupancies

What is a dwelling house?

'Dwelling house' is a defined term used in the proposed planning scheme to describe a stand-alone house used for residential purposes, commonly located in suburban neighbourhoods. The term dwelling house (and provisions relating to it) includes all works associated with the dwelling, such as pools, garages, carports, sheds and driveways.



A dwelling house may comprise 1 dwelling, or 2 dwellings where one of the dwellings is a 'secondary dwelling'. Secondary dwellings come in a diverse range of forms, with one common example being a granny flat. A secondary dwelling may be privately rented to anyone for long-term residential use, regardless of whether these tenants are related to the occupants of the primary dwelling.

Secondary dwellings have an important role in providing housing choice and affordable living options within our community, particularly within existing low density residential areas. Under the proposed planning scheme, it is

intended that dwelling houses and secondary dwellings will continue to be a pivotal part of the Sunshine Coast's housing supply. This also accords with the State Government's ['Shaping SEQ' South East Queensland Regional Plan 2023](#) (SEQ Regional Plan) and region-wide housing supply and diversity planning policy framework.

How are dwelling houses (including secondary dwellings) proposed to be regulated in the proposed planning scheme?

Under the proposed planning scheme, a new dwelling house, or the addition of a secondary dwelling, in the Low Density Residential Zone, Low-Medium Density Residential Zone, Rural Residential Zone and Rural Zone is generally proposed to be accepted development, which does not require a planning approval from Council, provided that requirements specified in the planning scheme are complied with.

Note: Even if a planning approval is not required from Council, a building work approval will still be required for new assessable building work (issued by a private certifier).

A dwelling house in the Limited Development Zone is proposed to be subject to code assessment and will require a planning approval from Council, on account of the development constraints affecting land in this zone. Code assessment is also proposed for dwelling houses in areas subject high flood risk and/or significant coastal hazards to ensure development achieves an acceptable level of

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risk. Refer to the [Flooding and Stormwater information sheet](#) and [Coastal Hazards Overlay information sheet](#).

In the proposed planning scheme, requirements for a dwelling house (including a secondary dwelling) are primarily contained in the Dwelling House Code, or a proposed new Dwelling House (Small Lot) Code where on a lot less than 450m². The proposed Dwelling House Code and Dwelling House (Small Lot) Code include provisions addressing matters such as building height, setbacks, garages, carports and sheds, access and parking, secondary dwellings, filling and excavation and site landscapes.

The Queensland Development Code (QDC) also contains provisions applicable to the development of a dwelling house, to the extent the provisions are not varied by the planning scheme. For example, the proposed planning scheme includes alternative provisions to the QDC in relation to building height and front boundary setbacks, whereas the QDC provisions for site cover are not varied in the proposed planning scheme and are applicable. Alternative provisions to the QDC are clearly identified as such in the proposed planning scheme.

What is a dual occupancy?

A 'dual occupancy' is a defined term used in the proposed planning scheme to describe where two dwellings are located on the same residential property. Each dwelling is typically similar in size, occupied by a separate household and can have a separate property title and different owners. A common example of a dual occupancy is a duplex.

It is important to note that a dwelling house that includes a secondary dwelling is different to a dual occupancy. While both uses involve two dwellings on the same property, a secondary dwelling remains part of the dwelling house use, is small in size and may not have a separate property title or owners to the primary dwelling.



How is a dual occupancy proposed to be regulated in the proposed planning scheme?

Dual occupancies have an important role in providing housing diversity, housing choice and affordable living options for our community. To this end, under the proposed planning scheme, dual occupancies are generally a consistent (preferred) use within lower density residential areas and where part of a mixed-use building in centre locations. Proposals in the Low Density Residential Zone will not require a planning approval from Council, provided that requirements specified in the proposed planning scheme are complied with, including locational requirements (with corner blocks preferred) and minimum site area.

A proposal for a dual occupancy will be subject to the requirements of the Dual Occupancy

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Code, which seeks to ensure dual occupancies achieve a high-quality design that contributes positively to streetscape character as well as providing a high standard of amenity for occupants and neighbouring residents.

What about tiny houses?

A 'tiny house' is not a specifically defined use in the proposed planning scheme or Queensland's planning system. There are generally two types of tiny houses: tiny house (fixed) and tiny house (on wheels). A tiny house (fixed) is generally regarded as a small dwelling and is intended to be regulated under the proposed planning scheme. A development approval may be required. A tiny house (on wheels) is regarded as a vehicle and is regulated under Council's Local Laws, under which they are to be used for temporary accommodation only.



The proposed use of a tiny house (fixed) will determine what type of land use definition it will fall under and therefore different rules and approvals may apply. Tiny houses that do not meet the definition of a 'dwelling' and do not have the appropriate building approvals for a residential building cannot qualify as permanent accommodation.

There are no changes to the way tiny houses are regulated under the proposed planning scheme compared to the current planning scheme.



Please refer to Council's information sheet for more information relating to a [tiny house](#).

What are the key changes for dwelling houses and dual occupancies in the proposed planning scheme?

Dwelling houses (including secondary dwellings)

- A new Dwelling House (Small Lot) Code is proposed and is intended to apply to dwelling houses on small residential lots (less than 450m²). This new code standardises design and siting requirements for dwelling houses on small lots and ensures they are of a high quality design, contribute positively to streetscape character and maintain the amenity and privacy of neighbouring premises. The proposed code complements new provisions allowing for small residential lots to be developed in the Emerging Community Zone and the proposed new Low-Medium Density Residential Zone to help improve housing choice and diversity in appropriate locations.
- Several changes are proposed for the regulation of secondary dwellings, including

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allowing larger sized secondary dwellings in urban areas, allowing a greater separation distance from the primary dwelling, new design requirements, requiring new secondary dwellings to be used for permanent accommodation, and removing restrictions on their development on small lots.

- Maximum building height provisions for dwelling houses have been relocated from the Height Overlay to the dwelling house codes for consistency with the QDC.
- New provisions are proposed for stormwater management.
- New dwelling houses are proposed to be inconsistent and impact assessable development in the Medium and High Density Residential Zones. This change is proposed to ensure land within these higher density residential zones is not underutilised.
- Provisions relating to the regulation of shipping containers have been incorporated into the proposed planning scheme dwelling house codes (currently these matters are addressed via Council resolution).

Dual occupancies

- The restriction on dual occupancies in certain parts of the Low Density Residential Zone (within Precinct LDR1 Protected Housing Area) in the current planning scheme is proposed to be removed and replaced by new provisions and controls in the Dual Occupancy Code and tables of assessment. These changes seek to ensure dual occupancies are appropriately

dispersed across low density neighbourhoods to assist with housing diversity, and that they achieve good design outcomes. This means dual occupancies are proposed to be accepted development throughout the Low Density Residential Zone, provided they are consistent with the planning scheme requirements.

- Within the Low Density Residential Zone, reduced minimum site area provisions are proposed for dual occupancies in coastal local plan areas (reduced from 800m² to 600m²). No minimum site area is proposed for dual occupancies on corner lots.
- New dispersal provisions are proposed to ensure dual occupancies do not impact on streetscape character in low density residential areas. A minimum separation distance of 100m along the same side of a street alignment to another existing or approved dual occupancy (other than on a corner lot) is proposed.
- The proposed Dual Occupancy Code also includes strengthened privacy and overlooking provisions, enhanced building and landscape design provisions and simplified site cover provisions.
- In the new Low-Medium Density Residential Zone, a material change of use for a dual occupancy is proposed to be code assessable (requiring a development application to Council), to ensure consistency with other allowable forms of multi-unit residential uses in this zone.
- New provisions are proposed for stormwater management.
- New dual occupancies are proposed to be inconsistent and impact assessable

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development in the Medium and High Density Residential Zones. This change is proposed to ensure land within these higher density residential zones is not underutilised.

- The proposed planning scheme includes new provisions seeking to reflect Sunshine Coast Design principles, with a particular focus on supporting better design outcomes.

How can I find out more?

- Go to the following [information sheets](#):
 - Housing affordability and affordable living
 - Low Density Residential Zone
 - Low-Medium Density Residential Zone
 - Limited Development Zone
 - Flooding and stormwater
 - Coastal Hazards Overlay
- Go to the following parts of the [proposed planning scheme](#):
 - Zoning maps
 - Part 3 Tables of assessment, 3.2 Material change of use tables of assessment, Residential zones
 - Part 7 Use codes, 7.7 Dual Occupancy Code, 7.8 Dwelling House Code, 7.9 Dwelling House (Small Lot) Code
- Find out the zoning and overlay mapping that is [proposed for your property](#).

To explore the proposed planning scheme or make a submission, scan the QR code or visit:

<https://haveyoursay.sunshinecoast.qld.gov.au/newplanningscheme>



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