

SECONDARY DWELLINGS

What is a Secondary dwelling?

A secondary dwelling is considered to be part of a Dwelling house, both of which are located on the same property.

The planning scheme defines a secondary dwelling as 'a dwelling, whether attached or detached, that is used in conjunction with, and subordinate to a dwelling house on the same lot'.

It is of a smaller scale when compared to the (primary) dwelling house on the same lot, and is generally self-contained and be located behind, beside or as part of the main dwelling (attached or detached).

In what zones are secondary dwellings expected?

A secondary dwelling is a use expected to occur in the following zones:

- Low density residential zone
- Low-medium residential zone
- Medium density residential zone
- Emerging community zone
- Township zone
- Rural zone
- Rural residential zone

A secondary dwelling is not expected to occur in other zones and will likely require planning approval.

What are the requirements for a secondary dwelling?

Generally, a secondary dwelling located in an expected zone is accepted development, subject to requirements. This means, if the secondary dwelling meets all the relevant requirements for accepted development, the secondary dwelling is considered accepted and does not require planning approval to be obtained prior to commencing the secondary dwelling.

Under the Livingstone Planning Scheme 2018, some specific development requirements which apply to a Secondary dwelling include;

- Only (1) secondary dwelling established on the property;
- The Secondary dwelling has the same land title as the main dwelling house (ie. the lot on plan is the same);

- The Secondary dwelling has a maximum gross floor area of 80m². Unenclosed balconies, decks, car parking areas and stairwells are not included in the gross floor area calculation;
- The Secondary dwelling is not sited in front of the façade of the primary dwelling house when located in a residential category zone or the rural residential zone (park residential precinct); and
- The Secondary dwelling and the (primary) dwelling house share the same access driveway and footpath crossover.

Some other considerations include the secondary dwellings access to water and sewer (reticulated or on-site services) and built form requirements (ie. Building height, boundary setbacks etc) and these will be relevant to the property's land use zoning.

Where a Secondary dwelling is not connected to reticulated water supply, a water tank (or tanks) with a minimum water supply capacity of 50,000 litres, is required to be provided.

Please see the Secondary dwelling checklist for requirements for accepted development.

Overlays

An overlay may influence whether planning approval is required or require overlay codes in the planning scheme to be assessed.

The best way to check whether a property is affected by an overlay, is to view the Planning Scheme Overlay mapping online. If your property is located in the Bushfire hazard, Biodiversity or Flood hazard overlays, planning approval is likely to be required. Please also refer to the overlays section of the secondary dwelling checklist for further guidance.



LIVINGSTONE PLANNING SCHEME INFORMATION SHEET

Other considerations

There are several other considerations for establishing a Secondary dwelling such as:

- Plumbing Application – a plumbing application is required for a secondary dwelling and can only be submitted to Council for approval.
- Building Application – a building application to a Building Certifier is also required. Building applications can be lodged through Council or with a Private Building Certifier. The structure will need to meet requirements including cyclone rating or bushfire standards;
- [Rates](#) - Changes to your rating category;
- [Infrastructure charges](#) - A Secondary dwelling which exceeds the maximum gross floor area of 80 square metres, will be subject to Infrastructure Charges in accordance with Council's current Adopted Infrastructure Charges Resolution.

How do I receive further assistance?

Council offers a range of free and paid development and town planning advice services. The advice services provide information on Council's planning scheme and delivers feedback about specific development-related matters and development proposals.

While Council aims to assist applicants through the process, many applications are complicated and deserve the attention of a consultant (town planner, surveyor or other appropriately qualified professional) for help with the proposal.

The Livingstone Planning Scheme 2018 and interactive zone and overlay mapping can be found on Council's website here.

Related Websites and Information

Development Application Forms

<https://planning.statedevelopment.qld.gov.au>

Livingstone Shire Councils Fees and Charges

<https://www.livingstone.qld.gov.au/fees-and-charges>

Livingstone Shire Councils Planning Scheme

<https://www.livingstone.qld.gov.au>

Livingstone Shire Councils Interactive Mapping

<https://livingstone.maps.arcgis.com>

Pre-lodgement and Specific Written Advice

<https://www.livingstone.qld.gov.au>



DISCLAIMER: This information sheet is a summary only and has been prepared to assist the reader to understand planning requirements. The information is general advice only and does not bind or fetter Council in any way in exercising statutory responsibilities or in assessing any development application which might be made to the Council. Please refer to the full Livingstone Planning Scheme 2018 document on Council's website for further detail.

For more information please contact Development Assessment on 1300 790 919

Email: enquiries@livingstone.qld.gov.au

Visit: livingstone.qld.gov.au