

## Fact Sheet 3: Secondary Dwellings

*This Information Sheet explains the planning scheme rules around secondary dwellings and how they can be used. It does not address building or plumbing requirements for the use and separate advice should be sought on these aspects.*

### What is a secondary dwelling?

A self-contained *secondary dwelling* (like a granny flat) may be constructed as part of a *dwelling house* providing it meets the requirements of the Noosa Plan 2020, building codes and the *Planning Regulation 2017*.<sup>1</sup>

Some definitions within the *Planning Regulation 2017* were amended in September 2022. Council will amend the planning scheme definitions to align with these.

According to the Regulation, a **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—*

*(a) attached to the other dwelling; or*

*(b) occupied by individuals who are related to, or associated with, the household of the other dwelling.*

A secondary dwelling must be small scale and subordinate to the dwelling house. It is not intended to be a second full size home.

### How can it be occupied or used?

Secondary dwellings are intended for permanent occupation and cannot be let to short-term guests. However, the *Planning Regulation* now allows for the secondary dwelling to be rented out to a person or people not related or associated with the household in the balance of the house.

Importantly:

- A secondary dwelling **cannot** be used for *short-term accommodation* or as a *home-based business* (home hosted visitor accommodation) because it is self-contained. More information is available in **Fact Sheet 4: Home Hosted Visitor Accommodation** and the **Short-term Accommodation Guide**.
- No more than one secondary dwelling can be developed as part of a *dwelling house* on any site regardless of site area.
- Secondary dwellings cannot be separately subdivided or titled and do not function as a *dual occupancy*.
- Secondary dwellings cannot be developed on a property covered by a Building Unit Plan.

### What are the planning requirements?

A secondary dwelling may have one or two bedrooms with a maximum gross floor area of 65m<sup>2</sup>. Unenclosed balconies, decks, car parking areas and stairwells are not included in the gross floor area calculation.

---

<sup>1</sup> Refer to **Fact Sheet 2 – Building a House** for more details on requirements for a dwelling house.

## Noosa Plan 2020 - Fact Sheet 3: Secondary Dwellings

A secondary dwelling must comply with the built form provisions of the zone it is located in, including building height, setbacks and site cover.

Most built form provisions are within the relevant zone code in Part 6 of the Noosa Plan 2020.

To check the zoning of a property, refer to the zoning maps in Schedule 2 of the Noosa Plan 2020 or search the property through Council's interactive mapping site at <https://www.mapping.noosa.qld.gov.au/>

A secondary dwelling requires an additional on-site car parking space to that of a *dwelling house* without a secondary dwelling. The Noosa Plan 2020 requires that a total of three car parking spaces are required for a new *dwelling house* with a secondary dwelling.

On a property with no reticulated water supply a *dwelling house* with a secondary dwelling requires a rainwater tank (or tanks) with a minimum water supply capacity of 60,000 litres.

### Will I need a Development application?

No, if the secondary dwelling meets all the nominated acceptable outcomes of the applicable codes in the Noosa Plan 2020. If it does not, then yes, referral to Council for assessment will be required.

If the property is affected by one or more overlays, planning assessment against the relevant overlay code in Noosa Plan 2020 may be required.

**As with any building work, a secondary dwelling requires building approval.** Building approvals can be obtained by contacting a private certifier.

### What about modular or prefabricated home?

There are various companies in and close to Noosa Shire designing and building small innovative modular or prefabricated homes. These can be brought onto a site as a secondary dwelling but will still require building and plumbing approval. Whether constructed on or off-site the planning scheme requirements are still of relevance.

**Fact Sheet #26 further addresses "Tiny Houses"**

### Are there Infrastructure charges?

Infrastructure charges apply to a secondary dwelling in accordance with Council's "Charges Resolution" under the *Planning Act 2016* and *Planning Regulation 2017*. For further information on infrastructure charges visit: [www.noosa.qld.gov.au/planning-development/development-tools-guidelines/infrastructure-charges](http://www.noosa.qld.gov.au/planning-development/development-tools-guidelines/infrastructure-charges)

Information sheets are designed to assist in interpretation of the Noosa Plan 2020. Before proceeding with development proponents should review the planning scheme and/or engage professional advice.

Noosa Plan 2020 can be accessed online at [www.noosa.qld.gov.au/noosa-plan-2020](http://www.noosa.qld.gov.au/noosa-plan-2020).

For further information on development under Noosa Plan 2020 contact Council's Development Services on (07) 5329 6500 or email [planning@noosa.qld.gov.au](mailto:planning@noosa.qld.gov.au).

View the Noosa Plan 2020 online at [www.noosa.qld.gov.au/noosa-plan-2020](http://www.noosa.qld.gov.au/noosa-plan-2020)