

# Residential uses

## North Burnett Regional Council Planning Scheme



## TYPES OF RESIDENTIAL USES

Planning schemes in Queensland must only use the terms defined in the legislation, the *Planning Regulation 2017*. This information sheet focuses on residential definitions but should be read together with the information sheet 'Defined uses' which contains the regulated definitions.

The planning scheme uses the following defined terms for the different forms of residential development:

- Caretaker's accommodation
- Community residence
- Dual occupancy
- Dwelling house
- Dwelling unit
- Multiple dwelling
- Relocatable home park
- Residential care facility
- Resort complex
- Retirement facility
- Rooming accommodation
- Rural workers' accommodation
- Short-term accommodation
- Tourist park.

This Information Sheet explains the different forms of residential accommodation within the North Burnett.

LOOK AT WHAT'S INSIDE:

What definition does my proposal fall under?  
Determining level of assessment







## DETERMINING THE USE

### SIMILAR BUT DIFFERENT

It is important to determine which **use** is being proposed as that bears on the application type and the criteria Council would use to assess an application. To determine the use, look through the 'Defined uses' information sheet to see which definition is the best fit for the proposal.

The following may help you understand some of the differences in the definitions—

- *caretaker's accommodation*—a dwelling for a caretaker of another use;
- *community residence*—a residence for up to six people and one support worker
- *dual occupancy*—also known as a duplex, a dual home - and can be titled separately in a community titles scheme
- *dwelling house*—one dwelling for a household, although may contain a second, subordinate, dwelling
- *dwelling unit*—a dwelling that is on the same premises as another non-residential use, like shop-top housing
- *multiple dwelling*—such as town houses, apartment building, triplex, flats, row houses; can be community titled
- *relocatable home park*—for manufactured homes, mobile homes, prefabricated dwellings
- *residential care facility*—supervised or supported accommodation such as an aged care home, nursing home (sometimes co-located with a retirement facility)
- *resort complex*—accommodation for tourist or visitors integrated with leisure facilities
- *retirement facility*—such as independent living or serviced units for seniors

- *rooming accommodation*—not self-contained accommodation such as boarding house or hostel
- *rural workers' accommodation*—can be self-contained but must be only for workers of a rural use when the rural use and accommodation are owned by the same person
- *short-term accommodation*—for tourists or travellers when for less than three months
- *tourist park*—holiday accommodation in caravans, cabins, tents, or 'glamping'
- *workforce accommodation*—a 2022 definition that includes workers' camps or accommodation for workers in a rural use.

### ELEMENTS TO CONSIDER

- involving only self-contained dwellings (with bedroom, kitchen, bathroom, toilet, and laundry) or whether shared facilities?
- one or more dwellings?
- for visitors, tourists, travellers, workers, or long-term accommodation
- in conjunction with another use on the premises
- in buildings or in temporary structures
- residents receive care or support



Please refer to info sheet DH-001 for further information on Dwelling house

#### AN IMPORTANT TERM—

- dwelling** means all or part of a building that—
- (a) is used, or capable of being used, as a self-contained residence; and
  - (b) contains—
    - (i) food preparation facilities; and
    - (ii) a bath or shower; and
    - (iii) a toilet; and
    - (iv) a wash basin; and
    - (v) facilities for washing clothes

REGULATED DEFINITION





## PLANNING APPROVAL

After determining the type of residential use, it is important to identify the zone in which the subject site is located. Once both the use and zone are determined, Section 5.5 of the *Planning Scheme*, with associated tables of assessment, can assist in identifying the type of planning approval/level of assessment required.



### IMPORTANT—

**Overlays may change the category of development or assessment, but more frequently add further assessment criteria. Refer to information sheet 8 'Overlays' for more information**



### IMPORTANT—

**The Queensland Government amended several definitions in the *Planning Regulation 2017* in 2022, including terms such as dwelling house, household, rural workers' accommodation, and workforce accommodation.**

Some defined uses may appear to 'overlap' meaning that a proposal may, at first, seem to be either of two or more definitions. The following are potentially confusing and we recommend that you contact Council's Development and Building Services Team to help clarify what definition a proposed use would fall within—

- Dwelling house containing a secondary dwelling compared to Dual occupancy
- Rooming accommodation compared to Rural workers' accommodation compared to Workforce accommodation
- Rooming accommodation compared to Tourist park

## PLANNING REGULATION 2017 AMENDED IN 2022

### ROOMING ACCOMMODATION

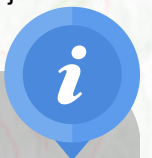
An amendment to the *Planning Regulation 2017* took place December 2022 in relation to **Rooming accommodation**. The change prevents the planning scheme from requiring a development permit for a material change of use for small-scale **Rooming accommodation**. No approval is required where—

- up to five persons and up to five bedrooms;
- in an existing building and not involving more than minor building work;
- in a residential zone (in the North Burnett scheme, only the General residential zone qualifies);
- new vehicular access to a State-controlled road is not needed; and,
- not subject to natural hazards (e.g. flood hazard or bushfire hazard).
- not involving a basement or underground parking area;
- the premises is not on a local heritage register;
- landscaping is provided between the building and the frontage.

Where the proposed **Rooming accommodation** does not meet the above criteria, a development application for a material change of use subject to code assessment is applicable in all zones except for the Rural zone where it is accepted subject to requirements.

### FURTHER INFORMATION

Information about Rural workers accommodation is available from the Queensland Government <https://planning.statedevelopment.qld.gov.au/planning-issues-and-interests/queensland-rural-workers-accommodation-initiative>







## TYPES OF APPROVALS

### IMPACT ASSESSMENT

Depending on the details of the proposal, a development application for a residential use may require an impact assessable development application in the North Burnett. This is a more comprehensive development application and needs to be publicly notified.

### ACCEPTED DEVELOPMENT

If complying with the acceptable outcomes in the applicable code, the use is accepted and does not need a Council approval under the planning scheme.

### CODE ASSESSMENT

Depending on the details of the proposal, a development application for a residential use may require a code assessable development application in the North Burnett. The proposal is assessed against the applicable codes in the planning scheme.



### OTHER INFORMATION SHEETS

- assessable development
- regulated land use definitions
- making an application
- dwelling houses

## FACILITATING GOOD ECONOMIC DEVELOPMENT

We have a long and proud history of development, prosperity and resilience. With readiness we also face challenges including distance, drought, flood and connectivity. Always receptive to new technology and new ideas, as the digital revolution continues to disrupt and expand economies around the world, North Burnett is gearing up to make the most of emerging opportunities.

The Council is committed to drive ongoing economic growth and innovation in North Burnett.

North Burnett Regional Council aims to be an innovation leader – a destination for business, investment and skills.

### Contact Us

Call us for more information about the planning scheme and making an application.



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**Visit us at: [www.northburnett.qld.gov.au](http://www.northburnett.qld.gov.au)**



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