

# Planning (Secondary Dwellings) Amendment Regulation 2022

Explanatory notes for SL 2022 No. 133

made under the

*Planning Act 2016*

## General Outline

### Short title

*Planning (Secondary Dwellings) Amendment Regulation 2022*

### Authorising law

Section 284 of the *Planning Act 2016*

### Policy objectives and the reasons for them

In June 2021, the Queensland Government released the Housing and Homelessness Action Plan 2021-2025 (HHAP) to build on the outcomes of the Queensland Housing Strategy by increasing social and affordable homes across the state.

The Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) is responsible for the delivery of *Action 3.0 Delivery social and affordable housing using state planning and economic development tools* with the support of the Department of Communities, Housing and Digital Economy.

Action 3.4 of the HHAP commits DSDILGP to *Review the planning framework's approach to regulating residential development*.

The objective of the *Planning (Secondary Dwellings) Amendment Regulation 2022* (the Amendment Regulation) is to amend the definitions of household, dwelling house, dual occupancy, multiple dwelling and secondary dwelling to ensure that the planning framework is not regulating living arrangements and provide for state-wide consistency in the way a secondary dwelling may be occupied.

## **Achievement of policy objectives**

Amendments to the land use definitions of household, dwelling house, dual occupancy, multiple dwelling and secondary dwelling will ensure that the planning framework is not regulating living arrangements and provide for state-wide consistency in the way a secondary dwelling may be occupied. This will facilitate greater housing choice and will allow owners more flexibility in the occupants for their secondary dwellings.

## **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the policy objectives of the Planning Act.

## **Inconsistency with policy objectives of other legislation**

No inconsistencies with the policy objectives of other legislation have been identified.

## **Alternative ways of achieving policy objectives**

The Amendment Regulation is the only effective means of achieving the policy objectives.

## **Benefits and costs of implementation**

The cost of implementing the amended regulatory framework will be met within existing budget allocations, and the resources used to manage the existing regulatory framework will continue to be used to administer the amended framework.

## **Consistency with fundamental legislative principles**

The amendment regulation is consistent with the fundamental legislative principles.

## **Consultation**

The Office of Best Practice Regulation advised that no further regulatory impact analysis is required.