Queensland

Planning (Small-scale Rooming Accommodation) Amendment Regulation 2026

Subordinate Legislation 2026 No. 168

made under the

Planning Act 2016

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1 Short title

This regulation may be cited as the *Planning (Small-scale Rooming Accommodation) Amendment Regulation 2026*.

2 Commencement

This regulation commences on 3 December 2026.

3 Regulation amended

This regulation amends the *Planning Regulation 2017*.

4 Amendment of sch 6 (Development local categorising instrument is prohibited from stating is assessable development)

Schedule 6, part 2—

insert—

2B Material change of use for rooming accommodation—development approval given on or after 3 December 2025 and before 3 December 2026

(1) A material change of use of premises for rooming accommodation, if—

(a) the accommodation is provided in a class 1 building; and

(b) the material change of use involves the carrying out of building work other than minor building work; and

(c) the building work—

(i) is carried out under a development permit given on or after 3 December 2025 and before 3 December 2026; or

(ii) is consistent with a development approval in effect for the premises and given on or after 3 December 2025 and before 3 December 2026; and

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(d) the use starts within 2 years after the day the building work is completed; and

(e) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and

(f) the material change of use does not result in a new vehicular access to a State-controlled road; and

(g) the premises—

(i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and

(ii) are occupied by no more than 5 persons; and

(h) either—

(i) no relevant overlay applies to the premises; or

(ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and

(i) the material change of use does not involve a basement or an underground parking area; and

(j) the premises are not on a local heritage register under the *Queensland Heritage Act 1992*; and

(k) the material change of use provides landscaping between a building that is on the premises and the front boundary of the premises, excluding any driveway or pedestrian access; and

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(l) the area of the landscaping mentioned in paragraph (k) is—

(i) for premises with a frontage of less than 15m—at least 30m^2; or

(ii) otherwise—at least 40m^2.

(2) In this section—

(a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and

(b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

(3) In this section—

landscaping means any combination of trees, grass, plants and garden beds.

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ENDNOTES

1 Made by the Governor in Council on 26 November 2026.

2 Notified on the Queensland legislation website on 27 November 2026.

3 The administering agency is the Department of State Development, Infrastructure and Planning.

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