

# Scenic Rim Planning Scheme 2020

Tiny Houses - June 2023

## What is a tiny house?

Tiny houses are small, compact, and in most cases, fully self-contained. They can be designed to be relocatable (e.g. on a trailer or on wheels) or stationary and range in size but, by their very nature, are significantly smaller than a standard dwelling. Tiny houses can be designed and built using green principles, can provide an affordable housing option, and can minimise the consumption and impact on the land.

Legal requirements that are often presented in the media do not necessarily reflect local requirements, and care should be taken to understand all the legal requirements that might apply to your tiny house.

For the purposes of this fact sheet:

- tiny houses can include structures or vehicles such as a caravan, RV, cabin, mobile home, granny flat, teenager's retreat and any other mobile or moveable structure used for **living in** (and not in the instances where they are used to accommodate tourists or the travelling public. Please refer to the Tourist Accommodation fact sheet [Fact Sheets - Scenic Rim Regional Council](#) for further information regarding tourist accommodation options for tiny houses); and
- the below general advice is for those tiny houses situated in residential zonings such as Low Density Residential Zone, Low-medium Density Residential Zone, Rural Residential Zone, Township Zone, and also the Rural Zone. The best way to check your zone is to view [ePlan and Mapping](#) from Councils webpage for [Scenic Rim Planning Scheme – Scenic Rim Regional Council](#). For all other zones, please speak to one of our Planning Officers on 07 5540 5111.

## Can I establish a tiny house on a vacant property?

Where a tiny house is proposed to be built on a vacant property and used for living in or as a place of residence, it is referred to as a *Dwelling house* under the *Scenic Rim Planning Scheme 2020 (Planning Scheme)*. The requirements for a *Dwelling house* are outlined in Council's *Dwelling houses and secondary dwellings fact sheet [Fact Sheets - Scenic Rim Regional Council](#)*.

You can also use a tiny house as a temporary home while an approved *Dwelling house* is being constructed on the same property. This will require a permit under Council's local laws for a temporary home. In this instance however, the tiny house will need to be removed once the *Dwelling house* is built. Planning approval would not be required.

## Can I use a tiny house as a secondary dwelling?

Where a tiny house is proposed in addition to an existing *Dwelling house* on the same property, it is referred to as a *secondary dwelling* under the Planning Scheme. The requirements for *secondary dwellings* are outlined in Council's *Dwelling houses and secondary dwellings fact sheet [Fact Sheets - Scenic Rim Regional Council](#)*.

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:*

1. *attached to the other dwelling; or*
2. *occupied by individuals who are related to, or associated with, the household of the other dwelling.*

Examples of a *secondary dwelling* include a granny flat or teenager's retreat.

## Can I have more than one tiny house on my property?

If more than one tiny house is proposed on a property, this may trigger a development application.

More than one dwelling on a property may be a different land use such as a *Dual occupancy* or *Multiple dwelling* under the Planning Scheme. It may also be *Short-term accommodation, holiday home, bed and breakfast or farm stay (Home based business), Tourist park, or Nature based tourism* if intended to be used for any form of short-term tourist or travelling public accommodation. Please contact Council Planning Officers to discuss the nature of the proposal. You can also refer to Council's Tourist Accommodation fact sheet Fact Sheets - Scenic Rim Regional Council for further information.

## Is planning approval required for a tiny house?

In many cases yes, planning approval is required depending on how the tiny house is intended to be used and where it will be located. Before considering or buying a tiny house, please contact Council's planning department on 07 5540 5111 to confirm which requirements will apply and whether a planning approval is required. Please also see the **Tiny House Checklist** section below.

Where the tiny house needs planning approval, this will need to be obtained from Council. Planning requirements for tiny houses are contained within the Scenic Rim Planning Scheme 2020. Please also see Council's *Dwelling houses and secondary dwellings fact sheet* Fact Sheets - Scenic Rim Regional Council.

## Tiny Houses Checklist

The below checklist is a quick guide to see whether approvals may be required. **Please note** however, the below instances assume that your property and your proposed use is NOT impacted by any Planning Scheme constraints (known as Overlays in a Planning Scheme). Please refer to the *What if an Overlay applies to my property?* section of this fact sheet for further information.

INTENDED USE	IS AN APPROVAL REQUIRED?
<p>A tiny house that is on wheels and:</p> <ul style="list-style-type: none"> <li>is registered as a caravan or trailer; and</li> <li>is parked lawfully; and</li> <li>is only used for accommodation while travelling away from home; and</li> <li>is not connected to services (e.g. town water, sewer) or on-site services (e.g. water tank and on-site sewerage facility); and</li> <li>is not rented out as tourist or visitor accommodation or leased as a residence to a tenant.</li> </ul>	<p><b>Planning, Building, Plumbing and Local Law Approvals – No:</b> This is considered to be a caravan for personal recreational use.</p>
<p>A tiny house (whether on wheels or not) that:</p> <ul style="list-style-type: none"> <li>is used to provide a temporary home only while an approved <i>Dwelling house</i> is being constructed on the same property. Vegetation clearing is not required to locate the tiny house and the tiny house will be removed once the <i>Dwelling house</i> is built.</li> </ul>	<p><b>Local Law Approvals – Yes:</b> This will require a permit under Council's local laws for a temporary home.</p> <p><b>Building and Plumbing Approvals – Yes:</b> Building approval for the permanent house (<i>Dwelling house</i>) will need to have been approved. Building and/or plumbing approval may be required for the temporary tiny house depending on its type and construction.</p> <p><b>Planning Approvals – No.</b></p>
<p>A tiny house (whether on wheels or not) that:</p> <ul style="list-style-type: none"> <li>is used as a place of residence and is the only dwelling on the property or is a <i>secondary dwelling</i> (e.g. granny flat); or</li> <li>a tiny house that is leased as a residence to a tenant; or</li> <li>a tiny house that is used as a home office or as a <i>Home based business</i>.</li> </ul>	<p><b>Building and Plumbing Approvals – Yes.</b></p> <p><b>Planning Approvals – Maybe:</b> This may require planning approval under the <u>Planning Scheme</u>, depending upon the location of the tiny house, how it will be used, the constraints on the property and the zoning of the property.</p>

INTENDED USE	IS AN APPROVAL REQUIRED?
<p>For all other uses of a tiny house (whether on wheels or not) - Examples of these uses include but are not limited to:</p> <ul style="list-style-type: none"> <li>a tiny house that is used as a place of residence and is located on a property with other dwellings that belong to separate households (e.g. Dual occupancy, Multiple dwelling, Retirement facility, Relocatable home park etc.).</li> </ul>	<p><b>Building and Plumbing Approvals – Yes.</b></p> <p><b>Planning Approvals – Yes.</b></p>

## What if an Overlay applies to my property?

A constraint (or Overlay) in the planning scheme may also influence whether planning approval is required for a tiny house. For example, an Overlay may increase the category of assessment from **Accepted development** (planning approval is not required) to **Assessable development** (planning approval required). The best way to check whether a property is affected by an Overlay is to view the Planning Scheme Overlays on [ePlan and Mapping](#) from Council's website or talk to one of our planners. If your property is affected by an Overlay, please refer to **Section 5.10 Categories of Development and Assessment - Overlays** which will help determine whether the constraint means planning approval is required. For more information, you can also refer to Council's Overlays fact sheet [Fact Sheets - Scenic Rim Regional Council](#).

## What other approvals will I need?

### State Government Approvals

Additional approvals may be required under State legislation. For example, koala habitat protection or regulated vegetation protection. Contact should be made with the relevant State Government departments before lodging any applications with Council.

## Building and Plumbing Approvals

Planning approval should not be confused with building approval. The construction of any type of dwelling (Class 1a building) requires a Development Permit for Building Works issued by a Building Certifier under the *Building Act 1975*. Any reclassification of a building or part of a building also requires approval. It is recommended that you seek the advice of a licensed building certifier to check if your tiny house complies with the building assessment provisions and determine whether any other referrals are required to Council.

Council may also require a plumbing and drainage approvals to ensure things like drainage, water supply and sewerage standards are complied with.

Please contact Council's building and plumbing section 07 5540 5111 to discuss services and your proposal.

### Local Laws Approvals

Council regulates temporary housing structures and uses to protect the health and safety of residents. Please contact Council's Regulatory Services department on 07 5540 5111 to discuss your proposal.

## Related information

The *Dwelling Houses and Second Dwellings* fact sheet, *Dual Occupancy* factsheet, *Tourist Accommodation* factsheet and the *Overlays* fact sheet can be found here [Fact Sheets - Scenic Rim Regional Council](#)

## Infrastructure charges may apply

Payment towards the extra demand generated by your new development on the trunk infrastructure network is generally required. The infrastructure charges are levied in accordance with the Charges Resolution which can be found at [Infrastructure Charges – Scenic Rim Regional Council](#).

Further information about Infrastructure Charges is available in the *Infrastructure Charges* fact sheet [Fact Sheets - Scenic Rim Regional Council](#).

## Talk to a Planner

Council's Planners are available for confidential discussions to help you navigate the Planning Scheme and how it affects you. Call 07 5540 5111 or alternatively email [mail@scenicrim.qld.gov.au](mailto:mail@scenicrim.qld.gov.au) to make an appointment.

## For more information

The [Planning Scheme and mapping](#) is available to view on Council's website [Scenic Rim Planning Scheme – Scenic Rim Regional Council](#).

Hard copies of the Planning Scheme and mapping are also available for viewing at Council's Customer Service Centres.