



# **Planning (Inclusionary Zoning Strategy) Amendment Bill 2023**





Queensland

# Planning (Inclusionary Zoning Strategy) Amendment Bill 2023

## Contents

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		Page
1	Short title .....	4
2	Act amended .....	4
3	Insertion of new ch 7, pt 4D .....	4
	Part 4D            Inclusionary zoning strategy	
	275ZI        Definitions for part .....	4
	275ZJ        Implementing inclusionary zoning strategy .....	5
	275ZK        Objectives for residential construction projects .....	5
	275ZL        Objectives for residential subdivision projects .....	6



**2023**

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**A Bill**

for

**An Act to amend the *Planning Act 2016* for particular purposes**

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	<b>The Parliament of Queensland enacts—</b>	1
<b>Clause 1</b>	<b>Short title</b>	2
	This Act may be cited as the <i>Planning (Inclusionary Zoning Strategy) Amendment Act 2023</i> .	3 4
<b>Clause 2</b>	<b>Act amended</b>	5
	This Act amends the <i>Planning Act 2016</i> .	6
<b>Clause 3</b>	<b>Insertion of new ch 7, pt 4D</b>	7
	Chapter 7—	8
	<i>insert—</i>	9
	<b>Part 4D                      Inclusionary zoning strategy</b>	10 11
	<b>275ZI Definitions for part</b>	12
	In this part—	13
	<i>dwelling</i> means a building, or part of a building, that—	14 15
	(a) is used, or is capable of being used, as a self-contained residence; and	16 17
	(b) contains—	18
	(i) food preparation facilities; and	19
	(ii) a bath or shower; and	20
	(iii) a toilet; and	21
	(iv) a wash basin; and	22
	(v) facilities for washing clothes.	23
	<i>public housing</i> see the <i>Housing Act 2003</i> , section	24

8(4). 1

**275ZJ Implementing inclusionary zoning strategy** 2

(1) The Minister must, within 2 months after the relevant date, introduce a Bill in the Legislative Assembly that achieves the objectives mentioned in sections 275ZK and 275ZL. 3  
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5  
6

(2) In this section— 7

*relevant date* means the date of assent of the *Planning (Inclusionary Zoning Strategy) Amendment Act 2023*. 8  
9  
10

**275ZK Objectives for residential construction projects** 11  
12

(1) For all residential construction projects completed on or after 1 July 2024, at least 25% of the dwellings (rounded up to the nearest whole number) constructed for the project are to be reserved for transfer to the State for the purpose of providing public housing. 13  
14  
15  
16  
17  
18

(2) Each reserved dwelling is, as far as practicable, to be finished to the same standard, and have the same features, as the other dwellings constructed for the residential construction project. 19  
20  
21  
22

(3) Each reserved dwelling is, as far as practicable— 23

(a) if the reserved dwelling is a class 1(a) building under the Building Code— 24  
25

(i) to have a total floor area equal to, or greater than, the average total floor area of all class 1(a) buildings constructed for the residential construction project; and 26  
27  
28  
29  
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(ii) to be constructed on a lot that has an area equal to, or greater than, the average area of all lots on which other 31  
32  
33

[s 3]

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class 1(a) buildings are constructed for	1
the residential construction project; or	2
(b) if the dwelling is part of a class 2 building	3
under the Building Code—to have a total	4
floor area equal to, or greater than, the	5
average total floor area of all dwellings	6
constructed in class 2 buildings for the	7
residential construction project.	8
(4) Each reserved dwelling not already owned by the	9
State is to be transferred to the State, for no	10
consideration, as soon as practicable after the	11
dwelling is able to be lawfully transferred.	12
(5) Each reserved dwelling is to be used only for the	13
purpose of providing public housing.	14
(6) In this section—	15
<i>reserved dwelling</i> means a dwelling reserved for	16
transfer to the State, under subsection (1), for the	17
purpose of providing public housing.	18
<i>residential construction project</i> means	19
development, carried out by an entity other than	20
the State, related to the construction of 10 or more	21
dwellings.	22
<i>total floor area</i> , of a dwelling, means the	23
combined internal and external floor areas of the	24
dwelling.	25
<b>275ZL Objectives for residential subdivision</b>	26
<b>projects</b>	27
(1) For all residential subdivision projects completed	28
on or after 1 July 2024, at least 25% of the lots	29
(rounded up to the nearest whole number) created	30
for the project are to be reserved for transfer to the	31
State for the purpose of providing public housing.	32
(2) Each reserved lot is, as far as practicable, to have	33
an area equal to, or greater than, the average area	34
of all lots created for the residential subdivision	35



- project. 1
- (3) Each reserved lot not already owned by the State 2  
is to be transferred to the State, for no 3  
consideration, as soon as practicable after the lot 4  
is able to be lawfully transferred. 5
- (4) Each reserved lot is to be used only for the 6  
purpose of providing public housing. 7
- (5) In this section— 8
- reserved lot* means a lot reserved for transfer to 9  
the State, under subsection (1), for the purpose of 10  
providing public housing. 11
- residential subdivision project* means 12  
development, carried out by an entity other than 13  
the State, related to the subdivision of 1 lot into 10 14  
or more lots on which dwellings can lawfully be 15  
constructed. 16