

PLANNING SCHEMES

Each local government has its own requirements and interpretations about what constitutes a single house.

- If a second house is to be built on a site and used or rented by a separate household, then the use will most likely be defined as an secondary dwelling, associated unit, dual occupancy or multi-unit dwelling, and town planning approval may be required (for definitions, please refer to the relevant planning scheme).
- Some local governments accept that two separate houses can be used by a single household, and therefore defined as a single house under the planning scheme.

BUILDING CODE OF AUSTRALIA

The Building Code of Australia defines a House as a Class 1 building. A Class 1 building must be provided with:

- a kitchen sink and facilities for preparation and cooking of food;
- a bath or shower;
- clothes washing facilities comprising at least one washtub and space for a washing machine, and
- closet plan and wash basin.

Therefore, if an application is received for two Class 1 buildings on a lot, then it will need to comply with any planning scheme provisions relating to a secondary dwelling, associated unit, dual occupancy or multi-unit dwelling and the like.

However, if there is only one Class 1 building, then it is possible the planning scheme will define the development as a single house.

WHAT WE LOOK FOR

- A Statutory Declaration from the owner to the effect that the premises is to be used as a single house by a single household. Some information about the details of the arrangements would be beneficial e.g. the existing dwelling is to be used by teenage children.
- Plans demonstrating that there are not two separate houses on the site i.e. one of the buildings would not contain the full range of services in a House as defined under the Building Code of Australia.
- The plans should demonstrate that the premises is used as a single House. Examples include:
 - The buildings are joined internally i.e. share an entrance;
 - A common driveway and parking areas;
 - The buildings are tied externally to give the appearance of a single building;
 - In rural areas, the buildings are in close proximity; and
 - Single laundry and/or kitchen.