

Sanctuary

MODERN GREEN HOMES

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DOUBLE DUTY: PATHWAYS TO TWO DWELLINGS ON ONE BLOCK

Architect Michi Moses looks beyond nifty design ideas, shedding light on what else you need to consider if you're keen to share your block with others.

Above Behind the red brick wall, a section of this Canberra family home has been designed to function as a separate small dwelling if needed in the future. For more, see our case study on p72.

In 'Two homes from one' in *Sanctuary* 69, Light House ArchiScience's Jenny Edwards wrote engagingly about conjuring efficient dwellings for two or more groups of people from older homes that previously housed just one. I'm sure I wasn't the only one to find the design and layout ideas inspiring – but what's involved in such a project from a regulatory point of view?

In this followup article, I'll explore the various forms two homes on one block can take, and look at the main considerations for planning, ownership, and use.

MAKING ROOM: UNDERSTANDING MEDIUM-DENSITY HOUSING AND PLANNING PATHWAYS

In this federal election year, housing policy is once again in the spotlight. Affordability, sustainability and urban density are at the forefront, as governments and communities search for solutions to a housing system in crisis. One of the most promising yet underutilised strategies is medium-density – or 'missing middle' – housing.

Missing middle housing refers to the spectrum of low- to medium-density housing types, including duplexes, townhouses and small apartment blocks, that bridge the gap between detached suburban homes and high-rise apartment towers. These housing types were once common in Australian suburbs, but have become increasingly scarce due to zoning regulations, community resistance, and planning systems that favour extremes in density. When it comes to sensitively increasing density in established suburbs, approaches like backyard secondary dwellings, well-designed infill strata developments, and dividing existing homes can help meet diverse household needs and support more sustainable communities.

Medium-density housing options offer flexibility, supporting intergenerational living and changing lifestyles and providing rental income. This article seeks to demystify the regulatory landscape and identify the key planning considerations for three of the most common types.

Regulations for medium-density housing vary by state and territory, as planning and zoning are governed at local and state level. However, there are some common themes across jurisdictions.

KEY REGULATORY FACTORS INCLUDE:

- Zoning: This determines which housing types are permitted in which planning areas.
- Block size: Most authorities require a minimum lot size per dwelling, or for the overall site to be eligible for medium-density housing.
- Setbacks: These define the required minimum distance between a building and the site boundaries. Their function is to protect streetscape character, privacy and solar access, and allow space for landscaping and services.
- Open space requirements: This defines the minimum private outdoor space (e.g. courtyards, balconies or yards) required for each dwelling.
- Car parking: Car parking requirements vary depending on the dwelling type, but are usually either one or two car spaces per dwelling.
- Subdivision rules: Subdivision is the legal process of dividing land into two or more lots, each with its own certificate of title. This enables dwellings to be sold separately, owned under different titles, and financed independently.

Before embarking on a medium-density housing project, it's essential to consult local and state planning controls, as well as the National Construction Code (NCC), as requirements vary between jurisdictions and may change over time. Engaging a qualified professional such as an architect, town planner, or certifier can help ensure your design complies with all relevant regulations.

So, what options are available if you're planning on having more than one home on one block?

1. DIVIDED HOME SHARED WITH FRIENDS OR FAMILY

This arrangement involves a single Class 1a dwelling on a Torrens (standard freehold) title, where the dwelling is informally divided into two. The two sections usually have separate entries, kitchens, and living areas. Privacy is maintained through clever planning rather than legal separation.

This setup is best suited to multigenerational living, two households (such as friends or siblings) co-living under a single (potentially shared) ownership, and private guest accommodation. All three case studies in Jenny's original article took this approach.

Key regulatory and design considerations: Most councils and planning instruments define a 'dwelling' as a Class 1a building used as a self-contained residence that includes

sanitary facilities (bath or shower and toilet) and at least one but not more than two kitchens. Note that in some jurisdictions, two kitchens may not be permitted in a single dwelling; in these cases, a workaround such as installing a 'wet bar' or kitchenette with portable cooking appliances may do the job.

When a building is considered a single dwelling, internal access must be maintained between the two parts. If not, the residences may be considered as two separate dwellings, triggering the NCC requirements for appropriate fire separation and acoustic separation.

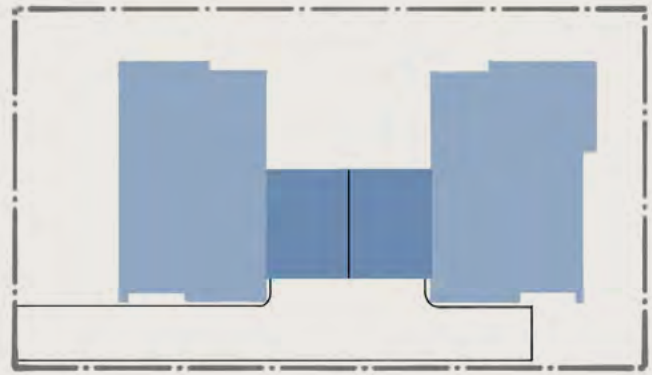
Under certain council definitions, dwellings with features like dual kitchens, separate front entries, and separate utility metering may also trigger classification as two self-contained dwellings, and be prohibited unless classed as and meeting the requirements of a dual occupancy (see below).

Services: This arrangement will typically feature just one connection and one meter for each utility (electricity, gas and water). Private sub-metering is an option, but only the primary meter is legal for billing.

Renting and selling: As a house divided in this way remains one legal dwelling, it cannot be sold or leased as two separate residences – though shared rental, subletting (if the property owner lives in one part of the house) or offering one part for short-term accommodation is generally permissible.

Other considerations: Even under a single Torrens title, dividing a home into two self-contained areas may affect insurance and financing, so owners should notify their insurer and lender to ensure compliance. If the property is co-owned, a clear legal agreement outlining financial responsibilities and insurance arrangements should be considered to avoid complications.

Below A single dwelling informally divided into two could look like this.



Above A typical dual occupancy design, with a shared wall between the garages.

2. DUAL OCCUPANCY ON A SINGLE TITLE

In most state planning frameworks, a dual occupancy is defined as two dwellings on one lot, either attached (e.g. duplex) or detached (e.g. two separate houses), where no subdivision has occurred. In this case, the property remains under a single Torrens title, with both dwellings owned together.

Key regulatory and design considerations: A dual occupancy is only permissible in certain zones. Approval is typically obtained via a development application (DA). Dual occupancies are generally Class 1a buildings and can be detached or horizontally attached (i.e. townhouses, duplexes). Under the NCC, shared walls in attached dwellings must meet specific requirements for fire resistance and sound insulation.

Services: Dual occupancy dwellings on a single title are permitted to share mains water, sewer, and stormwater connections. If either dwelling is rented out, you're permitted to install separate meters so that billing can be separate. Check with your local water and utility providers, as their requirements vary: some will permit joint metering if both dwellings are under single title ownership, while others prefer separate metering.

Renting and selling: Providing that the dwellings have been approved as a dual occupancy and meet all NCC requirements, they can be leased either together or separately. To sell the dwellings individually, they must first be formally subdivided.

Subdivision: Later subdivision of the land a dual occupancy is built on can involve either Torrens or strata title types. Torrens title generally requires both dwellings to meet minimum lot size and access standards, whereas strata title is usually more suitable if the dwellings are attached and don't meet a minimum block size. Subdivision usually requires its own DA and the installation of separate utility connections.

3. SECONDARY RESIDENCE

A secondary residence is commonly defined as a self-contained dwelling that is subordinate to the primary dwelling on the same lot. Depending on the state, they're also referred to as granny flats, accessory dwelling units or ancillary dwellings. Once typically used to accommodate older family members, they have gained popularity in recent years as home offices, as accommodation for guests or young adult children, or to provide rental income. [Ed note: see 'Doubling up: The why, how and where of building a secondary dwelling' in *Sanctuary* 67 for more on this.]

Key regulatory and design considerations: Secondary residences are permitted across a broad range of residential zones and are often considered exempt or complying developments if adhering to certain design criteria. Some typical considerations include a minimum block size, a requirement for a primary dwelling to exist on the block, and provision of private open space. They are also generally restricted in size, usually to a maximum of 60 to 80 square metres.

Secondary residences are treated as Class 1a like any other detached dwelling, which means NCC requirements must be met, including energy efficiency requirements.

Services: Secondary residences usually share services like electricity, water and sewer with the main residence, but may be permitted to be separately metered. They are typically accessed via a shared driveway or pedestrian path and don't have a separate street address unless approved by council.

Renting: Secondary dwellings are generally permitted to be rented out to non-household members, provided that they meet all necessary development and council approvals and comply with health and safety regulations.



Above A secondary dwelling is usually set behind an existing home.

IN SUMMARY

While the regulatory pathways to achieving two homes on one block can be complex, understanding your local planning rules and engaging a qualified professional can simplify the process. With the right approach, it's certainly possible to overcome the hurdles and deliver flexible, medium-density housing that meets changing household needs and supports more sustainable communities. **S**

ABOUT THE AUTHOR

Michi Moses is a registered architect committed to creating sustainable, equitable, and affordable housing, with a particular interest in cohousing as an alternative to urban sprawl. Once a Project Architect at Light House ArchiScience, she is now based in Hobart and has joined the Designful team, where she continues to design thoughtful, climate-responsive housing that challenges the status quo.

CASE STUDY: FINNISS HOUSE



DESIGNER

Light House ArchiScience

BUILDER

360 Building Solutions

LOCATION

Narrabundah, ACT
(Ngunnawal and Ngambri
Country)

SIZE

165m²
(107m² house and
58m² apartment)

Finniss House is a future-ready home designed with adaptability in mind. The owners were forward-thinking in their brief, seeking a family home that could be separated into two residences down the track, enabling them to age in place while generating a rental income.

Currently, the house features three bedrooms, two living areas and two bathrooms, convertible into a two-bedroom home and separate small apartment with separate entries, parking spaces, and private outdoor areas for both dwellings. Northern orientation has also been prioritised to maximise passive solar gain in winter.

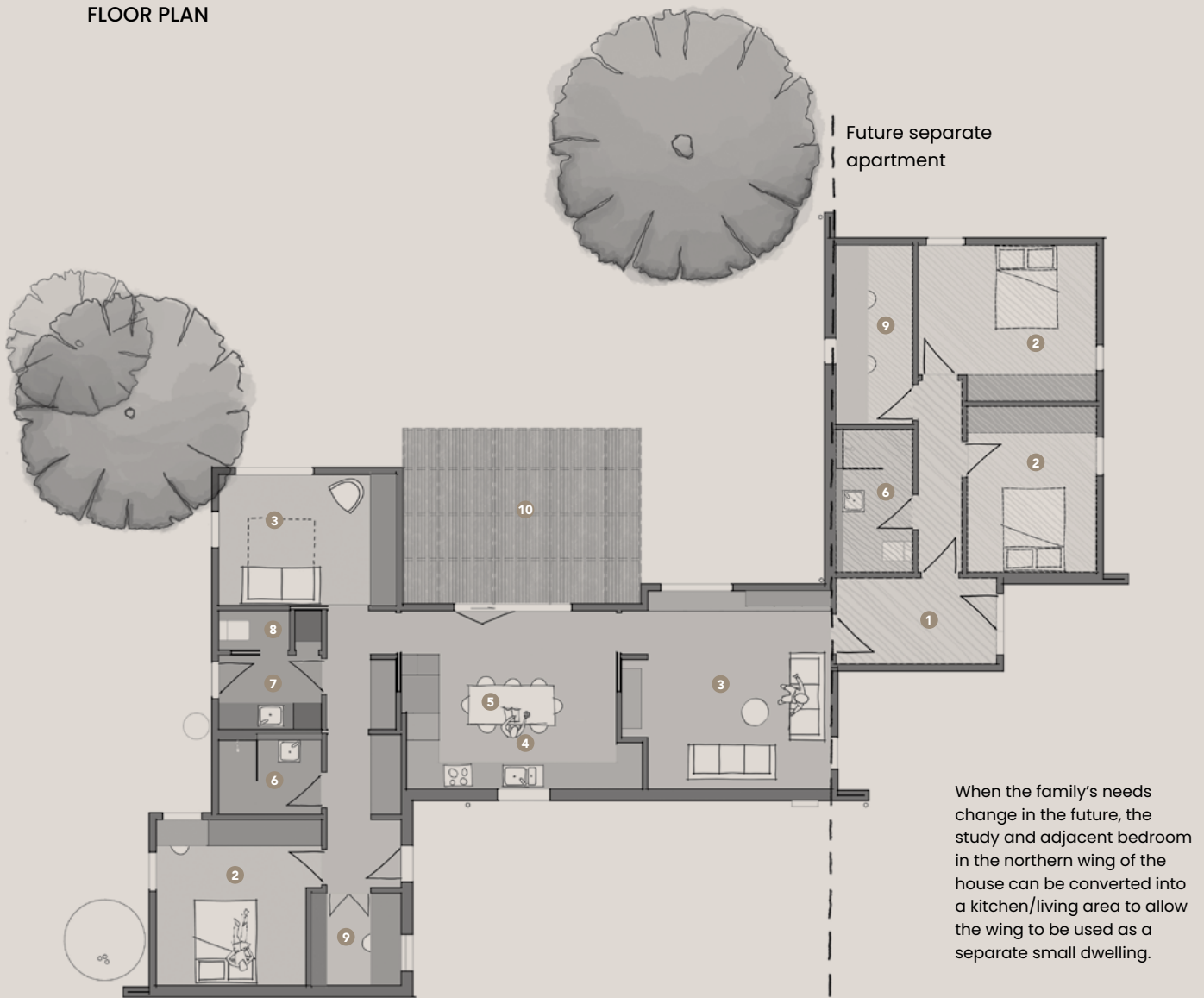
Finniss House is an example of type 1 above: a single Class 1a dwelling on one block covered by a single title, designed to be used as two homes if needed. A door maintains the necessary internal connection between the two parts and can be locked for privacy and security.

As ACT regulations allow up to two kitchens in a single dwelling, the intention is that the northern bedroom and study would be combined in the future and fitted out as a kitchen and living room for the apartment. A full-height window in this space has been sized to accommodate a glazed door in the future.

WHY NOT DESIGN AS A DUAL OCCUPANCY?

Although the 829-square-metre block meets the ACT's minimum lot size for dual occupancy in a Residential 1 (RZ1) zone, this approach would require a Development Application and fire and acoustic separation. Designing as a single adaptable home avoided these complexities while retaining future flexibility.

FLOOR PLAN



LEGEND

- 1 Entry
- 2 Bedroom
- 3 Living
- 4 Kitchen

- 5 Dining
- 6 Bathroom
- 7 Laundry
- 8 Toilet

- 9 Study
- 10 Deck