

CONVERSIONS - OUTBUILDINGS

Non-Habitable to Habitable

(Class 10a to 1a Conversion)

This publication's intention is to provide general information only. Exemption from requiring a Building Permit does not exempt compliance with the Building Code of Australia (BCA), Australian Standards, Local Laws, Planning (Development) Approvals and Conditions and all other Governing Legislation and Statutory Provisions.

Note: The applicant/builder is responsible for obtaining all necessary approvals, consents, and licenses required by law.

Can I convert my Carport, Garage or Shed to a habitable room?

According to the National Construction Code (NCC), a habitable room is defined as a room used for normal domestic activities, including but not limited to a bedroom, living room, lounge room, music room, television room, kitchen, dining room, study, playroom, family room, and sunroom. Non-habitable rooms, on the other hand, include spaces such as bathrooms, laundries, water closets, pantries, walk-in wardrobes, corridors, hallways, lobbies, clothes-drying rooms, and other specialised spaces that are neither frequently occupied nor used for extended periods.

A carport or garage may be converted into a habitable room if there is sufficient space elsewhere on the property to provide parking in a complying location. It is also recommended that the materials and finish of the proposed match that of the existing dwelling.

To convert an existing outbuilding into a Class 1a dwelling, a Building Permit application and approval is necessary. This conversion must comply with all applicable development (planning), building, and other relevant conditions and standards to ensure its lawful status. When applying for a Building Permit for constructing or converting an outbuilding, the application must demonstrate compliance with performance requirements and minimum construction standards as specified in the NCC.

Is a Building Permit required for the conversion work?

All non-habitable to habitable room conversions require an approved Building Permit prior to the commencement of building work. Most sheds, patio's, carport/garage or alfresco areas do not meet many of the minimum requirements of a habitable room. It is common that major modifications are necessary to achieve the requirements of the NCC for an outbuilding to be used for habitable purposes.

Can I build a shed and convert it to a dwelling later?

If you're contemplating the construction of a shed with the potential to convert it into a dwelling in the future, it is essential to seek professional guidance before you begin. This consultation can help you achieve a higher construction standard, making the future conversion to a dwelling and approval process, more seamless.





Can I live in my shed while I build my home?

In brief, yes, it is possible, but there are specific conditions that must be met, and you must apply to the Shire for approval to temporarily occupy your outbuilding. It's crucial to ensure compliance with the NCC, Department of Health, and all relevant Australian standards for safety and habitability. Additionally, addressing utilities such as water, electricity, and waste management is essential. This can involve connecting to existing services or establishing a standard-alone system.

Note: You *must* have both planning and building approval for both your outbuilding and your proposed dwelling in place for your temporary occupancy application to be approved.

Requirements that need to be met.

The construction standards for a dwelling are contained in the Building Code of Australia (BCA), and can be summarised as:

- Minimum facilities - a toilet, shower or bath, separate wash basin, separate kitchen sink and facilities for the preparation and cooking of food, separate laundry trough and space for a washing machine.
- Concrete slab – constructed to AS2870 for a class 1a dwelling or a structural engineer's certificate supplied which states the slab is suitable for use in a dwelling. Evidence of a plastic membrane under the slab or the slab will need to be suitably waterproofed to prevent moisture entering the building. Slab should be at least 100-150mm above surrounding ground level with adequate surface water drainage.
- Minimum ceiling height - 2.4 m for habitable rooms and 2.1 m for laundry, bathroom, corridor, and toilet as per the BCA.
- Minimum natural light for habitable rooms – glazed area of windows to be 10% of the floor area and ventilation as per the BCA.
- Boundary setbacks to comply with the BCA (e.g., 900mm wall to side and/or rear boundary and 450mm to non-combustible eave to boundary).
- Timber framed construction, including tie downs and bracing – must be constructed to a Class 1a dwelling standard under AS1684, certified by a structural engineer. Steel frame construction to AS4100.
- A complying ceiling is to be installed under the roof cover with a minimum/average of 2.4m finished floor to ceiling height.
- 7.0 star Energy efficiency NATHERS certificate and associated report showing how the proposed habitable room will comply with energy efficiency in accordance with the BCA.
- If a meter box exists within the proposed outbuilding, it must be relocated to an external wall.
- Certificates of compliance for electrical, plumbing, gas and glazing.
- Termite protection to AS 3660.1 where required.
- Complying stairs, landings, balustrades, etc.
- Hardwired smoke alarm(s) between living and sleeping areas in accordance with the BCA. Must be interconnected if two or more.
- BAL report and certificate and details of compliance with AS3959 – Construction of buildings in bushfire prone areas, if the outbuilding is located within a Bushfire Prone Area and is less than 6m from the primary dwelling (where applicable).





BUILDING ACT 2011 FEES, BUILDING SERVICES LEVY and BCITF PAYMENTS

BA1 - Certified application for a building permit (s.16(1))

- The fee is 0.19% of the estimated value of the building work, **but not less than \$110.00.**

BA2 - Uncertified application for a building permit (s.16(1))

- The fee is 0.32% of the estimated value of the building work, **but not less than \$110.00.**

Building Services Levy - Building Permit Application Levy

- The levy is 0.137% of the estimated value, **but not less than \$61.65.**

Building Construction Industry Training Fund (BCITF) - For all work \$20,000 and above in total value

- The BCITF Levy is calculated at **0.2% of the total value of construction** for all works with an estimated value of more than \$20,000.

Payment is required to be made prior to issuing of the building permit and any construction works commencing.

Note: An application for building permit must be signed by the builder. Buildings with an estimated constructed value greater than \$20,000 must be constructed by a registered builder OR an owner-builder with a current registration from the Building Services Board.





Non-Habitable to Habitable Conversion Application Checklist

1.	Form BA1 (Certified) or Form BA2 (Uncertified) <ul style="list-style-type: none"> Completed and signed Form BA1 – (Certified) or Form BA2 (Uncertified), to be signed by each owner of the land, unless exempt. Accurate estimated value of building work (including GST) on the Building Permit Application Form (<i>Building Regulations 2012 Schedule 1, Clause 1, 2 and 3</i>). Registered Builder's Details (if over \$20k) – Builder must provide their registration number. 	<input type="checkbox"/>
2.	Construction Training Fund Levy Form (CTF) <ul style="list-style-type: none"> Completed Construction Training Fund Levy Form (CTF) if works exceed \$20,000 or CTF receipt or proof of pre-payment. 	<input type="checkbox"/>
3.	Building Permit Application Fee <ul style="list-style-type: none"> Building Permit Application Fee plus associated State levies must be paid at time of lodgement of the application (Refer to the Building Act Fees). 	<input type="checkbox"/>
4.	Owner-Builder Approval / Certificate (if applicable) <ul style="list-style-type: none"> Owner-Builder Approval / Certificate from the Building Services Board (Department of Mines, Industry Regulation and Safety) if works exceed \$20,000. 	<input type="checkbox"/>
5.	Planning / Development Approval <ul style="list-style-type: none"> Planning Approval or written advice issued by the Shire of Denmark Planning Department for the proposed development (if applicable). 	<input type="checkbox"/>
6.	Reports and Certificates <ul style="list-style-type: none"> Bushfire Attack Level (BAL) Report and Certificate (if applicable) including BAL construction schedule. Energy Efficiency Report (Must contain NatHERS Certificate). Geotechnical Report or Engineer Certified Site Classification and Evaluation AS4055 or AS/NZS1170 determined wind rating details 	<input type="checkbox"/>
6.	All Construction Details <ul style="list-style-type: none"> All materials, spans, lengths, spacings, types, finishes, cladding, hardware, fixings, specifications, etc. With exactly the same level of detail a contractor or builder would require to construct it. 	<input type="checkbox"/>
7.	Site Plan (1:200 scale), including: <ul style="list-style-type: none"> Street names, lot number, and title reference to the site. The size and shape of the site including property boundaries, their dimensions, and existing buildings and structures to be clearly shown. Include Soil Classification as per BCA and AS 2870 Include Wind Rating as per BCA and AS 4055 A feature / contour survey of the property showing a datum point, contour lines (500mm intervals), spot levels and relative levels of the site. The proposed finished floor level to the new outbuilding including ground levels to be shown. Setback distances from the property boundaries to the proposed outbuilding and distance away from other existing buildings / structures on the property to be clearly indicated. Height and extent of proposed earthworks - if applicable. Existing sewer connections or septic system, stormwater drains or easement locations. Location and heights of stabilised embankments or retaining wall/s – if applicable. Clearly indicate the North point. 	<input type="checkbox"/>





8.	Elevations (minimum scale 1:100) <ul style="list-style-type: none"> • All elevations. • Existing ground level at the wall and at the boundary, including proposed ground (NGL) and finished floor levels (FFL). • Roof pitch. 	<input type="checkbox"/>
9.	Cross Sectional View (minimum scale 1:50) <ul style="list-style-type: none"> • One or more sections, transverse, longitudinal. • Finished ground level. • Type of floor structure e.g., concrete footing, slab or frame. • Roof frame details. 	<input type="checkbox"/>
10.	<p>Ensure the presence of minimum facilities: toilet, shower or bath, separate wash basin, separate kitchen sink, facilities for food preparation and cooking, separate laundry trough, and space for a washing machine.</p> <p>Verify the concrete slab - BCA 2022 V2 Part H1D4 Must be constructed to AS2870 standards. Must be certified by a structural engineer as suitable for dwelling use. Must provide evidence of a plastic membrane or waterproofing. Must be elevated 100-150mm above the surrounding ground level. Must have adequate surface water drainage.</p> <p>Check minimum ceiling height - BCA 2019 V2 A1 Part 3.8.2 Minimum 2.4 metres for habitable rooms. Minimum 2.1 metres for laundry, bathroom, corridor, and toilet.</p> <p>Ensure natural light and ventilation in all habitable rooms. Window area must be equal to 10% of the floor area. BCA 2019 V2 A1 Part 3.8.4. Ventilation as per the BCA 2019 V2 A1 Part 3.8.5.</p> <p>Verify boundary encroachments - BCA 2019 V2 A1 Part 3.7.2.7 Minimum 900mm wall to side and/or wall to rear boundary. Minimum 450mm eave to boundary.</p> <p>Ensure timber or steel framed construction meets Australian standards. Certification by a registered structural engineer may be required.</p> <p>Obtain energy efficiency NATHERS certification of compliance in line with BCA requirements.</p> <p>Relocate meter box to an external wall if present within the proposed outbuilding.</p> <p>Obtain certificates of compliance for electrical, plumbing, gas and glazing.</p> <p>Ensure termite protection complies with AS 3660.1 where required.</p> <p>Verify compliance with standards for stairs, landings, balustrades, etc.</p> <p>Install a hardwired smoke alarm(s) between living and sleeping areas as per BCA regulations. Interconnected if two or more.</p> <p>Comply with AS3959 – Construction of buildings in bushfire prone areas, where applicable.</p>	

This document is intended as a guide only to assist applicants. For any further information please contact the Shire of Denmark. Please note, additional information may be requested upon assessment of your application.

