

# Local Planning Policy 4.5 – Temporary Accommodation

<b>Responsible Directorate</b>	Development Services
<b>Responsible Business Unit/s</b>	Statutory Planning and Compliance
<b>Responsible Officer</b>	Manager Statutory Planning and Compliance
<b>Affected Business Units</b>	Statutory Planning Health and Building Strategic Planning Environmental Services

## Objective

The objective of this Policy is to:

- Provide for and regulate the use of caravans for temporary accommodation purposes whilst building a residence.
- Ensure that outbuildings are not used for habitable purposes.
- Ensure that this type of temporary accommodation does not compromise the amenity of the area.
- Ensure an acceptable standard of development (by way of applicable building and health standards) is achieved.

## Scope

This Policy will assist Officers and Council in the exercise of discretion in respect of applications for temporary accommodation development on land.

This Policy addresses planning matters regarding temporary accommodation purposes.

## Policy

1. Based on legal advice, development approval will not be granted for a Class 10 building (such as a shed) to be used for habitable purposes, even on a temporary basis, as it contradicts the NCC.
2. It is considered that the use of caravans for temporary accommodation purposes in residential areas (even if located within an outbuilding) could have a detrimental impact on the amenity of the area and would be contrary to residents expectations for development in the locality. Therefore, the use of caravans for temporary accommodation purposes in residential areas will generally not be supported.
3. Development Stream 1

Within the Shire's rural residential areas (Rural Living A, Rural Living B, Farmlet, Rural Residential 1, Rural Residential 2, Rural Small Holdings) and the Rural zone, the local government may approve the occupation of one (1) caravan on-site for up to 12 months pursuant to regulation 11(2)(c) of the Caravan Parks and Camping Grounds Regulations 1997, subject to:

- (a) A building permit having been issued for the construction of the dwelling on the property with written evidence of a signed building contract with a registered builder for the construction of the dwelling, and a commitment date that is within six (6) months by that builder for the commencement of construction of the dwelling; or



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## Choose an item.

- (b) In the case of an owner builder, a building permit for a dwelling has been issued by the local government and the applicant shall lodge with the local government a Statutory Declaration providing a commitment to construct a dwelling and an accompanying commencement date that is within six (6) months; and
- (c) A Statutory Declaration acknowledging the use of a caravan on-site is for temporary accommodation purposes only in accordance with regulation 11(2)(c) of the Caravan Parks and Camping Grounds Regulations 1997; and
- (d) Provision of adequate ablution and washing facilities connected to an approved water supply and effluent disposal system to the satisfaction of the local government; and
- (e) Where located within the Rural Living A, Rural Living B, Farmlet, Rural Residential 1, Rural Residential 2 or Rural Small Holdings zone, the caravan being located within an outbuilding;
- (f) Where located within the Rural zone, the caravan not having to be located within an outbuilding if it is otherwise located in an inconspicuous position, generally to the side or rear of the land.

### 4. Development Stream 2

Within the Shire's rural residential areas (Rural Living A, Rural Living B, Farmlet, Rural Residential 1, Rural Residential 2, Rural Small Holdings) and the Rural zone, the local government may approve a class 1 building (either wholly or partially), which takes the structure of a steel framed outbuilding, ahead of the main single dwelling for the land, subject to the following:

- (a) A building permit having been issued for the construction of the main residence on the property with written evidence of a signed building contract with a registered builder for the construction of the residence, and a commitment date that is within six (6) months by that builder for the commencement of construction of the residence; or
- (b) In the case of an owner builder, a building permit for a dwelling has been issued by the local government and the lodging with the local government a Statutory Declaration providing a commitment to construct a dwelling and an accompanying commencement date that is within six (6) months;
- (c) Provision of adequate ablution and washing facilities connected to an approved water supply and effluent disposal system to the satisfaction of the local government for the Class 1 building; and
- (d) A further Statutory Declaration acknowledging that the Class 1 building will revert to a Class 10 non-habitable outbuilding within 60 days of practical completion of the main dwelling.

## Definitions

Nil

## Relevant Policies/Council Documents

- Planning and Development Act (Local Planning Schemes) Regulations 2015
- Building Act 2011



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## Choose an item.

- Building Regulations 2012
- Caravan Parks and Camping Grounds Act 1995 and Regulations
- Bushfires Act 1954 and Regulations
- Environment Protection and Biodiversity Conservation Act 1999
- Environmental Protection Act 1986
- Government Sewerage Policy 2019
- Local Government Act 1995
- Local Planning Policy 4.19 – Outbuildings, Sheds, Garden Sheds and Sea Containers
- Council Policy – General Compliance and Enforcement

### Legislation/Local Law Requirements

- Local Government Act 1995
- Planning and Development Act 2005
- Caravan and Camping Regulations 1997

Office Use Only				
Relevant Delegations				
Council Adoption	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	