

POLICY MANUAL

Title:	Temporary Dwellings on Land during Construction of a Building
Previous No:	
File No:	
Statutory Environment:	<i>Health Act 1911 Caravan Parks and Camping Grounds Regulations 1997</i>
Minute No:	
Last Updated:	
Review Date:	June 2013

Objective:

Under Section 144 of the Health Act 1911 a building not originally constructed or erected as a dwelling may only be occupied with the consent of the local authority.

The aim of these guidelines is to provide information on the process of obtaining approval to occupy on a temporary basis a building that is not considered to be habitable e.g. a shed or a caravan.

Policy:

TEMPORARY ACCOMMODATION APPROVAL

- Temporary accommodation approval will only be issued in areas **zoned agricultural and rural residential**.
- Temporary accommodation approval will only be granted for a **maximum of twelve months**.
- Temporary accommodation approval will only be granted for the occupation of a **shed or a caravan**.

TEMPORARY OCCUPATION OF A SHED

Under the Building Code of Australia a “shed” is classified as a Class 10a non-habitable building.

An application to occupy a shed on a temporary basis must include the following details:

1. An application for a building permit including a plan of the dwelling and the shed, site plan details and specifications for the dwelling and the shed.

2. A signed agreement (see copy attached) stating that habitation of the shed will cease after the expiration of the approval period and all habitable fixtures and equipment will be removed from the shed.
3. An application for the installation of an approved effluent disposal system.

Approval to occupy a shed on a temporary basis will be granted for a maximum of twelve months and is subject to compliance with the following conditions:

1. The provision of adequate facilities within the shed.
2. The installation of an approved effluent disposal system.
3. An approved building permit for the dwelling and the shed.
4. Provision of a potable water supply.
5. The installation of smoke alarms in accordance with the Building Code of Australia.

Approval checklist for temporary occupation of a shed:

- Building permit application form
- Building permit application fee
- 3 copies of plan details
- Site plan details
- 2 copies of specifications
- Septic tank application form
- Signed temporary accommodation agreement

TEMPORARY OCCUPATION OF A CARAVAN

The *Caravan Parks and Camping Grounds Regulations 1997 r.11(2)(c)* enables the Local Authority to approve a person who is an owner/builder camping in a caravan on land that the person owns or has a legal right to occupy, for a period of up to twelve consecutive months. This is limited to camping in connection with the construction of a dwelling on the land while a building permit issued to that person in respect of the land is in force

In the *Caravan Parks and Camping Grounds Act 1995*, a “caravan” is defined as a vehicle that is fitted or designed for habitation.

An application to occupy a caravan on a temporary basis must include the following details:

1. A building permit application for an ablution facility containing a toilet and bathroom including a plan of the dwelling, site plan details and specifications for the dwelling and the ablution facility.
2. A signed agreement (see copy attached) stating that habitation of the caravan will cease after the expiration of the approval period.
3. An application for the installation of an approved effluent disposal system.

Approval to occupy a caravan on a temporary basis will be granted for a maximum of twelve months and is subject to compliance with the following conditions:

1. The provision of adequate facilities within the ablution facility.

2. The installation of an approved effluent disposal system.
3. An approved building permit for the dwelling and the ablution facility.
4. Provision of a potable water supply.

Approval checklist for temporary occupation of a caravan:

- Building permit application form
- Building permit application fee
- 3 copies of plan details
- Site plan details
- 2 copies of specifications
- Septic tank application form
- Signed temporary accommodation agreement