

### OBJECTIVE

To establish a framework for approving and regulating temporary accommodation outside of caravan parks, in response to amendments to the *Caravan Parks and Camping Regulations 1997* (Regulations). This policy ensures temporary accommodation options comply with environmental health, safety, and amenity standards while addressing local housing needs.

### SCOPE

This policy applies to all temporary accommodation applications within the Shire of Chittering including vacant and established properties. It is applicable to properties zoned under the Shire's Local Planning Scheme and considers both the construction of permanent dwellings and other purposes allowed under the Regulations.

### Policy Provisions

Temporary accommodation on private property (in one caravan) may be considered for approval by the Shire, subject to the following provisions:

1. A current Building Permit has been issued to construct a permanent dwelling on the site or an approved permanent dwelling already exists on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
4. Caravans used for temporary accommodation on vacant properties may be parked inside of a shed. If no shed is available, the caravan shall be parked in close proximity to the approved dwelling location or the existing dwelling.
5. Caravans must be mobile and capable of being moved offsite at all times to minimise the risk to the occupants in the event of a bushfire emergency and enable efficient evacuation of the site.
6. A temporary accommodation approval can only be issued for a period no longer than twenty-four (24) consecutive months.
7. Approval will only be considered on land zoned under the Shire's Local Planning Scheme as:
  - (a) Agricultural resource
  - (b) Rural Residential
  - (c) Rural Smallholdings
  - (d) Rural Retreat
  - (e) Townsite
  - (f) Residential
8. The following minimum facilities are to be provided in a caravan or available to use at the lot to enable approval for temporary occupation to be granted:
  - (a) Connection to an approved wastewater treatment and disposal system (use of an offsite dump point will not be considered an appropriate means of wastewater disposal);
  - (b) An adequate supply of potable water;
  - (c) Cooking facilities and sink;

- (d) A refrigerator;
  - (e) Connection to the mains power supply or an alternative power supply (e.g. solar panels with battery storage), however the use of a generator is not supported;
  - (f) Shire waste and recycling bins (in serviced areas); and
  - (g) Beds for all intended occupants.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
- (a) A toilet;
  - (b) A sink or trough;
  - (c) A shower;
  - (d) A washing machine
10. Overnight sleeping is not permitted in a shed, only a caravan.
11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

### Application Process

1. The applicant is to complete the attached 'Application for temporary accommodation' form and submit this to the Shire together with site plan, evacuation plan and the application fee.
2. An Authorised Person may conduct a site inspection prior to the issuance of an approval for temporary accommodation to determine the suitability of the land for temporary accommodation with respect to:
  - (a) Safety and health;
  - (b) Access to services; and
  - (c) Potential impact on amenity.
3. Following the expiry of the 'temporary accommodation' approval, an inspection will be conducted by an Authorised Person to ensure that the construction of the dwelling has commenced or is completed.
4. Should an approval for temporary accommodation expire, the Shire may issue a further approval with the timeframe at the discretion of the Shire, but not exceeding twenty-four (24) consecutive months subject to:
  - (a) 'Substantial progress' has been made to a dwelling on the site being constructed under a valid Permit;
  - (b) No significant complaints or amenity impacts have occurred in the preceding approval period; and
  - (c) A renewal application form is submitted along with payment of the relevant fee.

### Advice relating to approval

1. If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.
2. Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.

3. Should a shed be constructed prior to a dwelling being constructed on a site in order to supplement 'temporary accommodation', Development Approval from the Shire is likely required to be sought, and a proponent should contact the Shire's Planning Department for further information.

### POLICY STATEMENT

Temporary accommodation may be approved for up to 24 months on eligible properties, subject to compliance with relevant legislation, health and safety, and amenity standards. Approvals are contingent upon meeting the specified conditions and are subject to revocation in cases of non-compliance. Living in sheds without approval is prohibited, and temporary accommodation in tents will not be supported.

### DEFINITIONS

**Authorised person** – means a person appointed under section 17 of the *Caravan Parks and Camping Grounds Act 1995* (Western Australia).

**Caravan** – means a vehicle that is fitted or designed for habitation and can include an annex. (Note: a tiny home on wheels is regarded as a 'caravan')

**Dwelling** – means a Class 1a building defined in the *Building Code of Australia* which is used for habitation.

**Building Permit** – means a building permit as defined in the *Building Act 2011*.

**Shed** – means a Class 10a building defined in the *Building Code of Australia* which is non-habitable.

**Substantial progress** – means a dwelling is at least 50% completed.

**Temporary accommodation** – means a caravan that is used for temporary occupation of land.

### ROLES AND RESPONSIBILITIES

The Chief Executive Officer (or a delegated authority per the Council's delegated authority register), is authorised under the *Caravan Parks and Camping Grounds Act 1995* to approve temporary accommodation applications.

### COMPLIANCE

Legislation	<i>Building Code of Australia</i> <i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i> <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Local Government Act 1995</i> <i>Shire of Chittering Health Local Law 2017</i> <i>Shire of Chittering Local Planning Scheme No. 6</i>
Industry	Department of Local Government, Sport & Cultural Industries Guidelines
Organisational	Nil
Strategic Community Plan	Link to SCP objective(s)



## Temporary Accommodation

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### POLICY ADMINISTRATION

Review Cycle	3 Years	Next Review Due	2028
Policy Owner	Development Services		

Version	Decision Ref	Date	Change
1	CR		