

LOCAL PLANNING POLICY

POLICY NO:	LPP.10
POLICY SUBJECT:	Temporary On-site Accommodation During The Construction of a Dwelling
ADOPTION DATE:	20 August 2009
LAST REVIEW	20 November 2012

STATEMENT OF INTENT

This policy is designed to provide a guide for the assessment and determination of applications for approval of temporary on-site accommodation in a caravan or ancillary accommodation either of a temporary or permanent nature during the construction of a dwelling within the Shire of Toodyay.

OBJECTIVES

- To permit land owners to reside on their property during the construction of their residential dwelling.
- To ensure that temporary on-site accommodation is of a reasonable standard.
- To minimise the impact of temporary on-site accommodation on the amenity of the locality.
- To allow temporary on-site accommodation to be retained as ancillary accommodation in appropriate circumstances when the principal dwelling has been completed.

DEFINITIONS

'amenity' means all those factors which combine to form the character of an area and include the present and likely future amenity.

'ancillary accommodation' as defined under Local Planning Scheme No 4 means self contained living accommodation on the same site as a single house that may be attached or detached from the single house and occupied by members of the same family as the occupiers of the main dwelling.

temporary on-site accommodation' means a person or persons living onsite during the construction of a dwelling in either ancillary accommodation of a temporary or permanent nature, or a caravan.

'bona fide reasons' means genuine reasons including but not limited to the following:

- That the dwelling house has been substantially completed to the satisfaction of Council's Officers; or
- Legitimate unforeseen circumstances.

STATUTORY POWERS

This Local Planning Policy is made pursuant to Clause 2.2 of the Shire of Toodyay Local Planning Scheme No 4.

POLICY STATEMENT

1. Applications for temporary on-site accommodation that comply with all of the criteria corresponding to Table 1 of this Policy may be approved, subject to compliance with other relevant clauses of this Policy as set out below.
2. The only form of temporary on-site accommodation to be approved within the Shire of Toodyay shall be;
 - a) A caravan in accordance with the Caravan Parks and Camping Grounds Act 1995 and Regulations for a period up to 12 months for the purpose of constructing a dwelling house; or
 - b) Ancillary accommodation as defined in Council's Policy LPP 2

Note: The use of a shed for temporary on-site accommodation is not permitted unless it is converted to a standard matching LPP 2 and the requirements of condition 11 of this policy. The use of a shed for the provision of essential non-habitable facilities such as a bathroom or laundry may be considered in conjunction with the use of a caravan.

3. Applicants and occupiers must own or have legal rights to occupy the land.
4. Temporary on-site accommodation may only be approved on land which is zoned 'Rural Residential, Rural Living or Rural if it is more than 10,000m² in area.
5. Temporary on-site accommodation must be setback in accordance with the provisions of Local Planning Scheme No 4.
6. Prior to the granting of approval for temporary on-site accommodation, the applicant is to provide a statutory declaration in which it is acknowledged that the approval shall be in strict compliance with this policy and any conditions issued as part of the approval.
7. The commencement of any period of temporary on-site accommodation shall occur from the date the temporary on-site accommodation is approved and may be subject to conditions of approval. Approval for temporary on-site accommodation is to be no longer than 12 months

- consecutively, except where Council is satisfied that bona fide reasons exist for extension of the period.
8. The cancellation of the Building Permit will negate the temporary accommodation approval.
 9. If it is proposed to use a Caravan or a Caravan/shed combination compliance with the requirements of Table 1 must be met.
 10. If it is proposed to construct a form of Ancillary Accommodation this must meet the requirements of LPP.2 and be built in accordance with the requirements of the Building Code of Australia Volume 2 with the exception that clauses 1.0(e) & 3.0 of the provisions of LPP 2 will not apply if it is only to be used for temporary on-site accommodation during the approved period of construction.
 11. All construction / internal modifications in relation to a Class 10 building (shed) essential for use in conjunction with a caravan must have approval from Council's Building Surveyor and/or the Environmental Health Officer prior to any construction/modifications occurring.
 12. All fixtures approved under Clause 12 above are to be removed at the end of the approval period. Unless a case can be made for the fittings and associated drainage to remain.
 13. Planning approval may be sought to retain temporary on-site ancillary accommodation for permanent use. Otherwise the structure must be removed or converted into a structure not capable of being used as a dwelling by removal of all relevant fittings and fixtures that enable this at the end of the approval period.
 14. The Shire of Toodyay reserves the right to revoke the approval if the proponent fails to comply with this policy or any conditions attached to the approval.
 15. A temporary on-site accommodation application fee is as nominated under Council's schedule of fees and charges.

Adopted as TP Policy 26 May 2005
Reviewed Council Meeting 24 November 2005
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Amended Council Meeting 15 November 2007
Amended Council Meeting 21 May 2009
Reviewed Council Meeting 13 May 2010
Amended Council Meeting 19 August 2010
Amended Council Meeting 20 November 2012

Table 1

APPROVAL OF TEMPORARY ACCOMMODATION

Criteria							
Type of Temporary Accommodation			Building Permit	Effluent Disposal System	Concrete Slab / Stumped Floor	Supply of Water	Ablutions and Washing Facilities
Ancillary Accommodation or Caravan			The building Permit must be approved and issued for the proposed residence.	The effluent disposal system has been installed in accordance with the approved plans.	The concrete slab or stumped floor must be in position for the principal dwelling prior to the approval to occupy a caravan being issued.	An adequate supply of potable water must be made available.	All ablutions and washing facilities shall be properly located and connected to the approved effluent disposal system to the satisfaction of Council's Environmental Health Officer.
<i>Minimum Requirements</i>							<i>*Hand basin or Laundry Sink</i> <i>*Shower Bay</i> <i>*Toilet</i> <i>*Kitchen sink</i> <i>* Hot water system</i>