

Temporary occupancy of moveable dwellings

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PURPOSE

To ensure that the Shire of Roebourne effectively and evenly enforces the provisions of the Caravan Parks and Camping Grounds Regulations 1997.

SCOPE

This policy applies to all moveable dwellings occupied within the Shire of Roebourne, that are not located within either a licensed caravan park, a nature based camping area or the Shires overflow camping facility at the Karratha Country Club.

OBJECTIVE

1. To manage the temporary location and occupancy of moveable dwellings.
2. To acknowledge the need to provide on-site accommodation for owner builders and construction workers.
3. To ensure that the location of moveable dwellings do not detract from the streetscape and are appropriately located with particular regard to the proximity of habitable buildings, outdoor living areas, sensitive land uses, and the existing road network.
4. To minimise the impact and the likely emission of noise, effluent and other pollutants.
5. To provide guidance to applicants lodging applications to the Shire of Roebourne (Shire) or the Minister, for the temporary occupancy of moveable dwellings.

POLICY STATEMENT

Scope of the Policy:

- This policy applies to all land within the Shire.
- This policy is limited to the assessment and approval of the temporary use of land. The permanent use of land shall be in accordance with the provisions of the Shire of Roebourne No. 8 Town Planning Scheme (TPS).

Definitions and Interpretation of this Policy:

- A moveable dwelling is defined under the TPS as "a caravan defined under the Road Traffic Act 1974 (as amended), park home or other dwelling constructed and maintained on its own chassis and wheels and capable of mobility at all times, although it may be stabilised by jacks, provided with skirtings or designed and constructed to permit independent occupancy for dwelling purposes."
- This policy shall be administered in conjunction with the provisions of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.

What Requires Shire Approval?

- Written approval from the Shire must be granted prior to one or more moveable dwellings being occupied for more than three [3] consecutive days on any one property.

What Requires Ministerial Approval?

- In Accordance with the provisions of the *Caravan Parks and Camping Ground Regulations 1997* any applicant wishing to occupy a single moveable dwelling on a property for more than three [3] months in a twelve [12] month period where a Building Licence has not been issued must apply in writing to the Minister for Local Governments who may grant approvals for up to twelve [12] months.
- In accordance with the provisions of the *Caravan Parks and Camping Ground Regulations 1997* any applicant wishing or to occupy more than one [1] moveable dwelling for a period exceeding three [3] months must apply in writing to the Minister for Local Government.

Application Procedure:

When applying for the temporary occupation of a moveable dwelling(s), the application must include:

- A completed Application for Temporary Accommodation of a Moveable Dwelling.
- Payment of an applicable fee (refer to Development Services Fees and Charges Information Sheet BS-0005).
- Two [2] copies (to scale) of a site plan showing the following:
 - The legal description, lot dimensions, north point, and street details.
 - The proposed location of the moveable dwelling(s), sewer connection and location and use of any existing buildings on-site.
 - Access/egress point(s).
 - Where the temporary occupancy of more than one [1] moveable dwelling is proposed, the location of parking areas.
 - Existing landscaping area(s) and vegetation to be removed (if any).
 - Screening/fencing details (if any).
- A brief written submission having regard to the following:
 - Cause for occupation of the moveable dwelling.
 - The anticipated length of stay/period of construction.
 - Details of the moveable dwelling(s) i.e. size, type, number of beds.
 - Details of access to ablution facilities i.e. internal ablutions, caravan plumbed to the sewer, portable toilets.
 - If proposed to be occupied between October 1 and April 30, how the moveable dwelling will be secured or tied down during the cyclone season.
- A copy of building licence(s) granted for the property or evidence that a building licence Application has been lodged.

Guidelines:

- A Moveable dwelling whether occupied or not, must be located at least three [3] metres from the front boundary, at least one [1] metre from the side or secondary street boundary of the property and be sufficiency setback from existing buildings so as to not adversely affect natural light or ventilation to habitable rooms.
- The external appearance of any moveable dwelling must be of uniform finish and be well maintained at all times.
- All moveable dwellings must at all times be licensed as vehicles and be maintained in a roadworthy condition (wheels attached) so that they are capable of being moved off-site and legally driven or towed on public roads at any time.
- Applicants may be required to ensure that there is a high level of screening of the moveable dwelling to maintain the amenity of the locality.
- Provision to be made for vehicles associated with the moveable dwellings to the satisfaction of the Shire and all vehicle parking is to be provided on the property.
- The occupation of the property must not interfere with existing approved land uses including the parking and manoeuvring of vehicles.
- If a moveable dwelling is proposed to be parked on a property between 1 October and 30 April, whether it is approved for occupation or not adequate cyclone tie downs and anchor points shall be installed.

- The following minimum ablution and amenity requirements apply:
 - A toilet being provided, which may be portable but must be connected to the sewer as well as being adequately ventilated in accordance with the Health Act 1911.
 - A shower and/or bath being provided, which may be incorporated into moveable dwelling or annex or in a separate external approved structure.
 - A washing machine or two laundry sinks being provided, which may be incorporated into a moveable dwelling or annex or in a separate external approved structure.
 - A hand washing basin being provided, which may be incorporated into a moveable dwelling or annex or in a separate external approved structure.
 - A kitchen sink being provided, which may be incorporated into a moveable dwelling or annex or a separate external approved structure.
- A refuse collection service must be utilised where available, and when not available, refuse must be appropriately disposed of at a licensed facility.
- Facilities within any moveable dwelling, which produce wastewater including, but not limited to, WC's, showers, washing machines, and dish washers must not be used while the moveable dwelling is located on the property unless they are plumbed to a wastewater service in accordance with the plumbing code and do not cause a nuisance due to emissions such as water, noise, or odour.
- Where the ablution facilities in a permanent dwelling or other building are to be used by the occupiers of a moveable dwelling, the occupier of the property must be able to demonstrate that such ablution facilities are adequate to meet the additional load resulting from the occupancy of the moveable dwelling.
- Moveable dwellings may be required to be removed if construction ceases for a continuous period of seven [7] or more days, or if construction does not commence within seven [7] days of approval.
- The Shire may revoke an approval if it is deemed that the occupancy of a moveable dwelling is causing a nuisance, or contravening any planning, building or health requirements.
- Applications may be referred to the owners or occupants of neighbouring properties for comment prior to any application being determined.

Applications for the Occupancy of a Single Moveable Dwelling for Less than Three [3] Months:

In accordance with the provisions of the *Caravan Parks and Camping ground Regulations 1997* the Shire may grant approval to occupy a single moveable dwelling on a property for up to three [3] months.

Approval shall be subject to the following criteria:

- The Application is in accordance with the Guidelines of this policy;
- The property is zoned residential, urban development, transient workforce accommodation, rural residential, rural, town centre, commercial, tourism or mixed business;
- An existing dwelling being located on the property; and
- The health, welfare and amenity of neighbours will not be compromised.

Applications for the occupancy of a Single Moveable Dwelling for Greater than Three [3] and Less than Twelve [12] Months:

In accordance with the provisions of the *Caravan Parks and Camping Ground Regulations 1997* the Shire may grant approval to occupy a single moveable dwelling on a property for up to twelve [12] months. Approval shall be subject to the following criteria:

- The application is in accordance with the Guidelines of this policy;
- The property is zoned residential, urban development, transient workforce accommodation, rural residential, rural, town centre, commercial, tourism or mixed business;
- The moveable dwellings are required to accommodate an owner builder or construction workers undertaking building works on the site in accordance with a building licence;

- A slab or foundations for the development subject to the building licence being completed within one [1] month of the location and occupation of a moveable dwelling on the property; and
- The health, welfare and amenity of neighbours will not be compromised.
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Applications for Occupancy of More than One [1] Moveable Dwelling for Less than Three [3] Months:

In accordance with the provisions of the Caravan Parks and Camping Ground Regulations 1997 the Shire may grant approval for the occupancy of more than one [1] moveable dwelling. Approval shall be subject to the following criteria:

- The application is in accordance with the Guidelines of this policy;
- The property is zoned rural, rural residential, transient workforce accommodation, town centre, commercial, tourism or mixed business;
- The moveable dwellings are required to accommodate construction workers undertaking building works on the site in accordance with a building licence;
- The application is lodged during periods of acute accommodation shortage or where it is deemed there is an overall benefit to the community;
- The health, welfare and amenity of neighbours will not be compromised; and
- All moveable dwelling sites in any approved caravan park or camping ground within a 25-kilometre radius of the property are occupied, excluding nature based camping areas.

Applications for the Occupancy of More Than One [1] Moveable Dwelling for More than Three [3] and Less than Twelve [12] Months:

In accordance with the provisions of the *Caravan Parks and Camping Ground Regulations 1997* any applicant wishing to apply for the occupancy of more than one [1] moveable dwelling for a period exceeding three [3] months must apply in writing to the Minister for Local Government. The Shire will not generally support any application made to the Minister unless:

- The application is in accordance with the Guidelines of this policy;
- The property is zoned rural, rural residential, transient workforce accommodation, town centre, commercial, tourism or mixed business;
- The moveable dwellings are required to accommodate construction workers undertaking building works on the site in accordance with a building licence;
- The application is lodged during periods of acute accommodation shortage or where it is deemed there is an overall benefit to the community;
- The health, welfare and amenity of neighbours will not be compromised; and
- All moveable dwelling sites in any approved caravan park or camping ground within a 25-kilometre radius of the property are occupied, excluding nature based camping areas.

ROLES AND RESPONSIBILITIES

Implementation of this policy is as per delegations to the Shire's officers.

REFERENCES

Application Form Temporary Occupancy of Moveable Dwellings
 Shire of Roebourne No 8 Town Planning Scheme
 Development Services Fees and Charges information Sheet BS-0005
 Caravan Parks and Camping Grounds Act 1995
 Health Act 1911
 Road Traffic Act 1974
 Caravan Parks and Camping Grounds Regulations 1997

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