

# OCCUPANCY OF “MOVEABLE DWELLINGS”

IN RESIDENTIAL, URBAN, COMMERCIAL AND TOWN CENTRE ZONES

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## 1. OBJECTIVE

To manage the location and occupancy of “Movable Dwellings” in Residential, Urban Development, Commercial and Town Centre zones.

## 2. PRINCIPLES

### 2.1 Definitions

Movable Dwelling is defined under the City of Karratha Town Planning Scheme No 8 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.”

### 2.2 Guidelines

This policy shall be administered in conjunction with the provisions of the *Caravan Parks and Camping Grounds Act 1995* and Regulations 1997.

For the purposes of this policy a “Movable Dwelling” includes any form of mobile dwelling as defined under the *Road Traffic Act*, which excludes a park home, but includes a caravan, campervan, bus, caravanette or similar vehicle which is currently licensed under the *Road Traffic Act 1974*.

A “Movable 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.

Where the applicant is not the owner of the property on which the movable dwelling is located, the applicant must obtain written consent from the property owner.

Council has delegated authority to approve one (1) “Movable Dwelling” for each residential property and may approve multiple “Movable Dwelling” on commercial and town centre properties.

If a “Movable 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.

Facilities within any “Movable Dwelling”, which produce wastewater including, but not limited to, WC’s, showers, washing machines, and dish washers must not be used while the “Movable 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 movable 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 “Movable Dwelling”.

All “Movable 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.

The external appearance of any “Movable Dwelling” must be of uniform finish and be well maintained at all times.

An approval to occupy a “Movable Dwelling” on a property will be subject to compliance with all relevant legislation. The City of Karratha may revoke an approval if it is deemed that the occupancy of a “Movable Dwelling” is causing a nuisance, or contravening any planning, building or health requirements.

Written approval from the City of Karratha must be granted prior to a “Movable Dwelling” being occupied for more than three (3) days and up to three (3) months on a property that has been developed with a dwelling. Note: Application forms and information on the application fee are available from the Shire’s website or Welcome Road Administration Office.

An owner or builder of a dwelling on undeveloped residential land may apply to the City of Karratha for approval to locate and occupy one (1) “Movable Dwelling” on such a property for not more than twelve (12) months subject the following:

- A building licence has been issued for the construction of a dwelling on the property.
- A slab or foundations for the dwelling being completed within one (1) month of the location and occupation of a “Movable Dwelling” on the property and construction continuing to lock-up stage within six (6) months of the completion of the slab or foundations.
- The following minimum ablution and amenity requirements being met:
  - 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*).
  - 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 being provided, which is serviced by the weekly waste service collection provider where available.

Note: Contact the City to arrange a mobile garbage bin and rating for the collection.

In accordance with the provisions of the Caravan Parks and Camping Ground Regulations any applicant wishing to occupy a “Movable Dwelling” on a residential property for more than three (3) months where a building licence has not been issued for a dwelling, or to occupy more than one (1) “Movable Dwelling” must apply in writing to the Minister for Local Government and Regional Development. Application forms are available from the City of Karratha municipal office.

Note: The City of Karratha will not generally support any application to the Minister to occupy a “Movable Dwelling” for more than three (3) months unless the “Movable Dwelling” meets the criteria specified in this policy and one or more of the following circumstances exist at the time the application is made:

- The application is lodged during periods of acute accommodation shortage and where it is deemed there is an overall benefit to the community.
- The health, welfare and amenity of neighbours will not be compromised.
- All “Movable 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.

## 2.3 Requirements for Applications for Occupancies of Moveable Dwellings in Commercial and Town Centre zones

The City of Karratha may consider applications for the occupancy of moveable dwellings in commercial and town centre zones subject to the following criterion:

- The application is lodged during periods of acute accommodation shortage and where it is deemed there is an overall benefit to the community.
- There is a valid building licence issued for the property used for accommodation or the site is on an adjacent property.
- Approvals will only be granted for the anticipated period of construction.
- The use is for accommodating building or construction employees actively engaged in the construction of a significant structure or building.
- Applications may be referred to the owners or occupants of neighbouring properties for comment prior to any application being determined.
- Applications for multiple moveable dwellings may be considered provided that the health and amenity requirements of this policy are maintained.
- Applicants may be required to ensure that there is a high level of screening of the accommodation to maintain the visual amenity of the locality by way of fencing or the location of moveable dwellings behind existing buildings.
- Movable dwellings may be required to be removed if construction ceases for a continuous period equal or greater than seven (7) days or construction or building work does not commence within seven [7] days of approval.
- Provision to be made for vehicles associated with the movable dwellings to the satisfaction of Council and all vehicle parking is to be provided on site.
- The occupation of the site must not interfere with existing approved land uses including the parking and manoeuvring of vehicles
- The health, welfare and amenity of neighbours will not be compromised.
- All “Movable 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.

## 3. CONSEQUENCES

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. It is imperative that Councillors and Officers retain appropriate documentation to substantiate their expenditure. Elected Members and Employees are reminded of their obligations under the Council’s Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

## 4. REFERENCES TO RELATED DOCUMENTS

- Application Forms – Occupancy of “Moveable Dwellings” in Residential and Urban Development Zones

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Responsible Officer:	Co-ordinator Environmental Health

*This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.*