

Occupation of a Temporary Home During Construction of a Permanent Residence

FACT SHEET

This fact sheet provides information to persons who are looking at occupying a caravan or other form of temporary accommodation at their property during the construction of a permanent Class 1a dwelling house at the same property.

This fact sheet does not relate to the occupation of a temporary home on a short-term basis only; being no more than two weeks in any fifty-two-week period on a vacant property, and no more than four weeks in any fifty-two-week period on a property with an existing dwelling house.

Furthermore, this fact sheet does not relate to a person allowing friends and/or family to stay in a caravan at their permanent place of residence for up to six months in a twelve-month period and has notified Council accordingly.

The Law

Under *Fraser Coast Regional Council Local Law No. 1 (Administration) 2011* (Local Law No. 1), persons may apply for an approval to occupy a temporary home at their property during the construction of a permanent Class 1a dwelling at the same premises.

A temporary home may be in the form of a tent, bus, caravan, mobile home or similar, or a shed or other Class 10a structure.

It is important to note, a person must not reside in a temporary home, including a shed or Class 10a structure, until such time as they have obtained approval from Council under Local Law No. 1 authorising them to do so.

Eligibility Criteria

To be eligible for an approval to establish or occupy a temporary home, the applicant will need to meet the following requirements:

- be the owner of the property to which the application for an approval relates;

- hold, or be in the process of obtaining a current development permit for the construction of a permanent Class 1a dwelling at the property;
- be able to demonstrate financial capacity and ability to construct the permanent Class 1a dwelling within the currency period of the development permit;
- hold current plumbing approvals for the construction of a Class 1a dwelling, and in the case of occupying a Class 10a structure as a temporary home, current plumbing approvals for any plumbing works associated with this structure.

Note: for plumbing approvals for plumbing works associated with a Class 10a structure, all plumbing and drainage facilities must be provided, and a Plumbing Compliance Certificate issued within 3 months of occupation of this structure.



Terms and Conditions

Depending on the type of temporary home being occupied and the proposed duration of occupancy of such, an approval may be issued for up to 18 months. The maximum duration of occupancy for the various types of temporary homes is as follows:

- for a tent – no more than 3 months;
- for a bus – no more than 18 months;
- for a caravan, mobile home or similar – no more than 18 months; and
- for a shed or other type of Class 10a structure – no more than 18 months.

Conditions are imposed on the approval to protect public health and the amenity of the surrounding environment. These conditions include, amongst others:

- construction works for the permanent Class 1a dwelling must not cease for a period greater than three calendar months;
- basic amenities for living must be provided, including kitchen facilities, bathing facilities, toilet, sleeping accommodation, wastewater disposal, refuse disposal, and adequate storage and water supply;
- the temporary home must be in good order and repair; and
- the temporary home must not be unsightly or unhygienic (i.e. suitably located, screened and maintained, including being kept free of pests and conditions that may attract pests).

The construction of the permanent Class 1a dwelling must progress at a rate that will allow the structure to be finalised within the period of the development permit and the term for which the temporary home approval was granted. The occupation of the temporary home is to cease at the time the permanent Class 1a dwelling becomes fit for occupation as a place of residence.

Extensions to a temporary home approval will only be granted where significant progress has been made towards the construction of the permanent dwelling.

For further information on applying for a Temporary Home Approval, please contact Council on **1300 79 49 29**.

Application Forms are available on Council's website here:

<https://www.frasercoast.qld.gov.au/downloads/file/1200/establishment-or-occupation-of-a-temporary-home-application-pdf>



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