	<p style="text-align: center;">Temporary Living Premises Policy Policy No. ENVPOL 10</p>	Version No:	5
		Responsible Officer/s:	Director of Environmental Services
		Classification:	Administration
		Issued:	16 December 2013
		Next Review:	September 2024

1. Purpose

To provide guidance and specify standards for the establishment of temporary living premises in the Council area.

2. Scope

Council will consider applications for occupation of temporary living premises on a property, provided that there is a clear intention on the part of the landowner to build a permanent dwelling on the property in accordance with Section 153 of the *Planning Development & Infrastructure Act 2016*.


3. Definitions

Temporary living premises premises not intended for human habitation (e.g. garage, outbuilding, etc.), where Council has given approval for such premises to be inhabited on a short-term basis, for a maximum period of twelve (12) months (unless otherwise agreed to).

4. Policy

The Director of Environmental Services, the Planning Officer, Team Leader – Development Services and the Development Compliance Officer acting under delegated authority can approve occupation of temporary living premises in accordance with the following requirements of Council:

- (a) At the time of application for temporary living, the applicant must also lodge with Council a complete Development Application for a permanent dwelling on the property.
- (b) Council's preferred option for temporary living is for a caravan to be parked and used within an appropriate shed/building, providing the shed/building has proper sanitary facilities. A Development Application is required for such temporary living.
- (c) Temporary living may also be allowed to occur in an existing building. A Development Application is required for such temporary living.
- (d) A Development Application for temporary living shall provide plans of the proposal, give details of the proposed number of occupants, and information regarding proposed fit-out of the building (including sanitary fixtures). The Application must state the period of temporary living approval being sought.
- (e) For temporary living in a new building, separate Development Applications are required – one being an Application for a standard garage-type development, and the second being an Application in accordance with clause 4 above.
- (f) The building which is proposed to be used for temporary living shall be of a reasonable standard, and shall comply with all legislative requirements.

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- (g) The temporary living premises must have approved sanitary fixtures connected to an approved effluent disposal system suitable for the proposed dwelling and approved by Council.
- (h) Temporary living wet areas are to be constructed and/or altered in accordance with the National Construction Code.
- (i) The temporary living premises must be connected to a 55,000-litre rainwater tank (minimum) for the purpose of a potable water supply (unless a reticulated water supply is available).
- (j) Any building clad in steel / iron sheeting, must be clad in 'Colorbond' material, or painted to the reasonable satisfaction of Council.
- (k) The temporary living premises must revert to a non-habitable building upon completion of the permanent dwelling and/or at the date in which temporary living approval ceases.

Development Approvals are valid for 12 months, during which time the development must be substantially commenced. If the permanent dwelling is not commenced within this 12 month period, all approvals will lapse and no extensions will be granted. If the construction of the permanent dwelling is well advanced, Council **may** consider an extension of the temporary living approval to allow completion of the permanent dwelling.

During the period of the temporary living approval, Council Officers may conduct regular site inspections to monitor progress on the erection of the permanent dwelling.

5. Responsibilities

The Director of Environmental Services will be responsible for ensuring that the requirements of this Policy are met.

6. References / Other Documents

6.1. Legislation


National Construction Code (formerly the Building Code of Australia)
Planning Development & Infrastructure Act 2016
Planning Development & Infrastructure Regulation (General) 2017

6.2. Other

Planning and Design Code

7. Review

This Policy shall be reviewed by the District Council of Grant at a minimum, once within every four (4) year Council term (or on significant change to legislation or other matters which could affect this policy).

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Action	Date	Minute Reference
Adopted by Council	3 December 2001	01344.2
Amended	5 July 2004	04184.4
Amended	2 February 2009	09023.4
Amended	16 December 2013	13153.2.2
Amended	5 September 2016	16115.3
Minor formatting amendments	4 May 2020	Governance Officer
Amendment	15 August 2022	Management Team