

TEMPORARY ACCOMMODATION ON PRIVATE LAND POLICY 2.28

Responsible Directorate	Place and Community	
Responsible Service Area	Health Services	
Resolution	September 2025	SC-9-9-2025
Procedure Ref	N/A	

1. PURPOSE

To provide a clear and consistent framework for assessing and approving temporary accommodation applications on private land for an initial period of up to 12 months and an extended approval to a maximum 24 months, ensuring compliance with relevant regulations and maintaining safety, health, and amenity standards.

2. SCOPE

This policy applies to situations where an individual seeks to reside in a caravan or similar portable structure on land they own or have a legal right to occupy, such as living on-site during the construction of a dwelling; providing short-term housing for family members, carers, or visitors; or circumstances following a natural disaster.

It covers the use of caravans or similar portable structures on private land outside approved caravan parks, where occupancy exceeds five [5] days within any 28 days. The policy does not support the use of caravans or temporary portable structures as permanent or semi-permanent extensions of existing residences, nor as additional dwellings beyond the approved temporary timeframe.

3. DEFINITIONS

Ablution Facilities Refers to basic hygiene and sanitation amenities required for daily living, including a flushable toilet, shower or bath, laundry wash trough, and kitchen sink.

Accommodation Pods Accommodation pods are prefabricated, self-contained transportable structures designed to provide temporary accommodation. They typically include basic amenities such as sleeping areas, bathroom facilities, laundry facilities, and kitchenettes. Accommodation pods are intended for short-term use and are not classified as permanent dwellings.

Approval Conditions Specific requirements or limitations imposed by the Shire as part of a temporary accommodation approval. These conditions outline the standards that must be met before, during, and at the conclusion of the approved period.

Authorised Person	A person appointed under section 17 of the <i>Caravan Parks and Camping Grounds Act 1995</i> (Western Australia).
Building Permit	A building permit as defined in the <i>Building Act 2011</i> .
Caravan	As defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> , a caravan is essentially a vehicle designed for human habitation (the Act defines a “vehicle” as “a conveyance (other than a train, vessel or aircraft) capable of being propelled or drawn on wheels” under Section 5(1)). A caravan is classed as a light vehicle (under 4,500 kg) and is required to be licensed by the Department of Transport. A caravan is not considered a “dwelling” or “building” under planning legislation/policy.
Portable Structure (designed for human habitation)	A relocatable, vehicle-mounted structure that is capable of being registered for road use and used as a dwelling. This includes camper trailers, motorhomes, and tiny homes on wheels (provided they remain on their trailer or chassis with wheels attached). Portable structures in this context do not include tents, yurts, marquees, sheds, or any structure that has been removed from its wheels or is otherwise not a road-registrable vehicle. Other than caravans or accommodation pods, any structure not meeting the above criteria is considered a permanent structure and is not permitted as temporary accommodation under this policy.
Shed	A Class 10a building defined in the <i>Building Code of Australia</i> which is non-habitable.
Legal Right to Occupy	Having legitimate authority to reside on the land. This means the person is the owner of the property or has the owner’s explicit permission (e.g. a tenant with landlord consent, or a family member invited by the owner). Proof of this right (such as proof of ownership or a letter of permission from the owner) is required.
Shire	Refers to the Shire of Mundaring (the local government authority).
Temporary Accommodation	For the purposes of this policy, temporary accommodation refers to the occupancy of a caravan or other approved portable structure on privately owned land as a residence for a limited period, as permitted under Regulation 11 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> . This is an arrangement to meet short-term residential needs and does not constitute a permanent dwelling.

4. POLICY

- 4.1 Applications for temporary accommodation will generally only be considered on land zoned Rural Residential, Rural Smallholdings, General Agriculture, or other zones where the lot size exceeds 2,000 m² (0.2 hectares). The Shire may consider applications on properties that do not meet the minimum lot size, provided the proposal meets all relevant health, safety, and hygiene requirements and the site context is deemed appropriate.
- 4.2 The Shire will consider the following factors during the assessment of a temporary accommodation application:
 - a. Impact on social surroundings
 - b. Visual impact; and
 - c. Environmental amenity
- 4.3 The Shire may issue an initial approval for a shorter period (up to 12 months) and require renewal or review for the remainder at its discretion.
- 4.4 Temporary accommodation must comply with all applicable conditions and regulations. Approval granted under this policy does not override or exempt compliance with any other statutory or regulatory requirements.

5. APPLICATION REQUIREMENTS

- 5.1 Applications for approval to occupy a caravan or portable structure as temporary accommodation shall include the following:
 - 5.1.1 A completed Shire of Mundaring 'Application for Temporary Accommodation' form, accompanied by a statutory declaration, site plan, and evacuation plan.
 - 5.1.2 A sketched site plan, indicating:
 - i. Location of the temporary accommodation
 - ii. Effluent disposal system; and
 - iii. Ablution facilities
- 5.2 A Building Permit for the permanent dwelling must have been issued prior to the acceptance of a temporary accommodation application, where the application relates to residential construction.
- 5.3 Approval will only be granted to applicants who have a legal right to occupy the land. If the applicant is not the property owner, written consent from the owner for the temporary accommodation must be provided to the Shire.
- 5.4 The application will be deemed incomplete until all required documentation and evidence are provided, and the application fee has been paid.

6. APPROVAL CONDITIONS

Conditions may be included in an approval for temporary accommodation including (but not limited to):

- 6.1 Temporary approval is granted for one caravan or similar portable structure for up to [24] months.
- 6.2 The only form of temporary accommodation to be approved shall be within a caravan or other portable structure designed for human habitation and must be structurally sound, weatherproof, clean, and all facilities in good working order.
- 6.3 Caravans and similar portable structures must remain mobile and capable of being moved offsite at all times to minimise risk to occupants in the event of a bushfire emergency and to enable efficient evacuation.
- 6.4 The site must comply with the Shire's annual Firebreak and Fuel Load Notice.
- 6.5 On vacant properties, caravans used for temporary accommodation may be parked inside a shed. Where no shed is available, the caravan must be parked in close proximity to the approved dwelling location or an existing dwelling.
- 6.6 Land use to comply with the Shire of Mundaring Local Planning Scheme No. 4 (LPS4 or its replacement).
- 6.7 Where considered necessary to minimise visual impact, the Shire may require the accommodation to be screened or located within an outbuilding.
- 6.8 Accommodation pods and similar structures will only be supported as temporary accommodation in emergency situations following damage or destruction of an existing residence caused by natural disasters.
- 6.9 Ablution facilities, whether within the caravan, in a separate building, or shed must include:
 - a. Toilet
 - b. Shower or bath
 - c. Laundry wash trough
 - d. Kitchen sink
- 6.10 All plumbing fixtures are to be connected to an approved onsite effluent disposal system.
- 6.11 The temporary accommodation shall be connected to a source of electricity.
- 6.12 A suitable source of water must be provided on-site either through scheme water or a water tank.
- 6.13 The site must remain tidy, and waste must be managed responsibly.
- 6.14 The use of temporary accommodation must not cause unreasonable noise and should be managed to avoid disturbance to neighbouring properties.
- 6.15 Temporary accommodation facilities are to be removed within 28 days of practical completion of the dwelling or when the Temporary Accommodation approval becomes invalid.
- 6.16 Temporary accommodation must not be used for short term rental or tourist accommodation.
- 6.17 The Shire of Mundaring reserves the right to revoke the approval based on any complaints received that, in the opinion of the Shire, unduly affect people's

amenity, or on any other grounds that the Shire deems necessary to protect people's health, safety, and well-being.

7. APPLICATION PROCESS:

- 7.1 Upon receipt of an application, and subject to satisfactory inspection of the proposed accommodation and ablution arrangements, approval may be granted for a period not exceeding [24] months.
- 7.2 Should an approval for temporary accommodation expire, the Shire may issue a further approval with the timeframe at the discretion of the Shire but not exceeding [24] months subject to following:
 - a. Substantial progress has been made on the dwelling under a valid Building Permit.
 - b. No significant complaints or amenity impacts have occurred during the previous approval period.
 - c. A renewal application must be submitted, along with the required fee, before the existing approval expires.

8. RELATED LEGISLATION

Bush Fires Act 1954

Building Act 2011 (WA)

Building Regulations 2012 (WA)

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

Environmental Protection (Noise) Regulations 1997

Health Local Laws 2003

Health (Miscellaneous Provisions) Act 1911

Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1997

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Mundaring Local Planning Scheme No. 4