

GUIDELINE: TEMPORARY ACCOMMODATION

This guideline is to assist applicants wanting approval to camp in a caravan for more than 5 days on private land other than at a caravan park.

This guideline has been established to support the implementation of Council Policy – Temporary Accommodation, to ensure a consistent and transparent process when issuing approvals for temporary accommodation under the *Caravan and Camping Grounds Regulations 1997*. It is important to read through and understand the guideline and policy prior to submitting your application.

1. Objective

To outline the requirements and conditions for applicants to seek approval to camp in a caravan for temporary accommodation.

2. Who does the Guideline apply to?

This guideline applies to any person wanting to use land they own or have the right to occupy for camping for more than 5 consecutive days. To be considered for temporary accommodation your land must be zoned as per the approved zones listed in the policy.

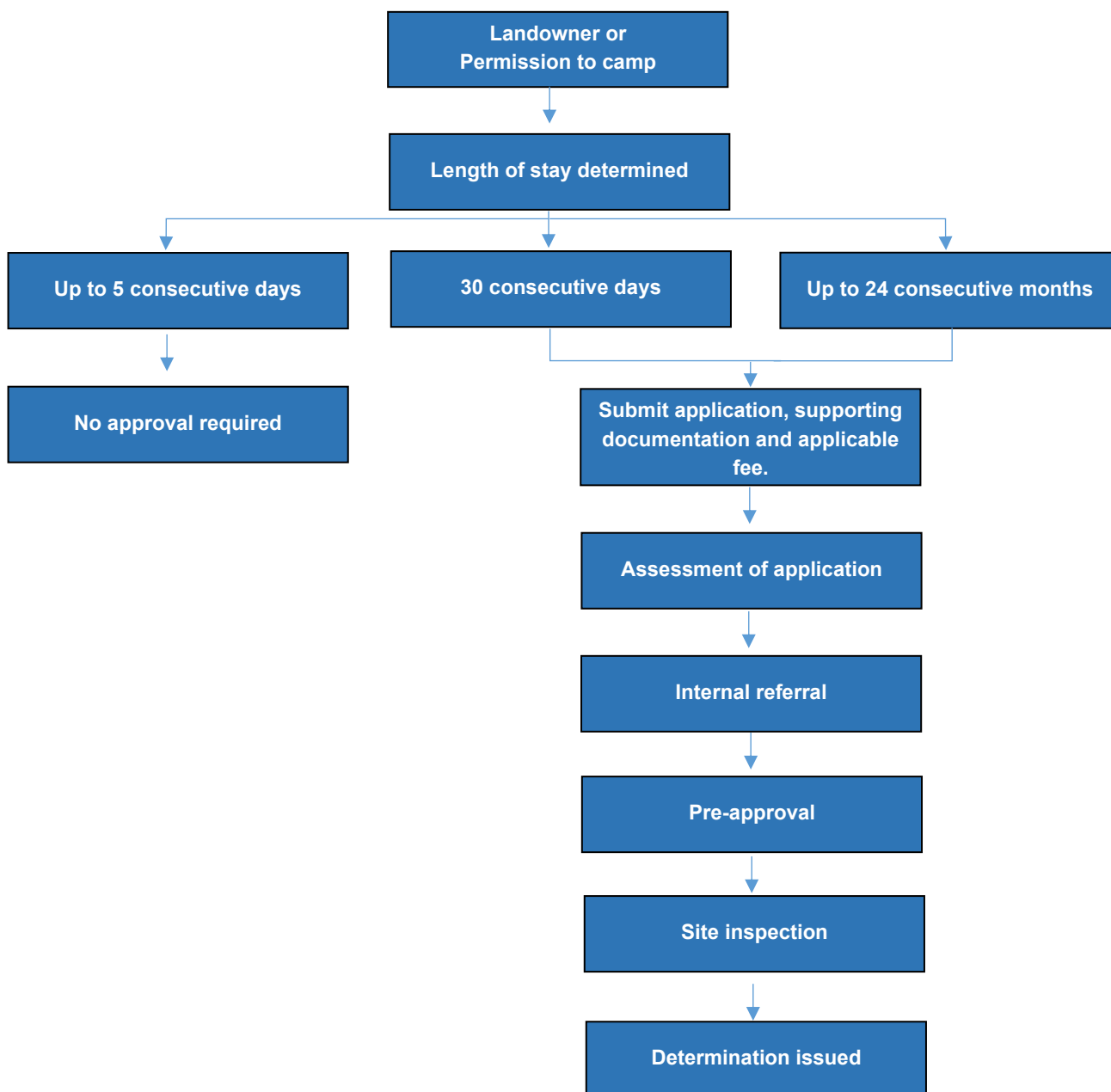
Land with Additional Use or Restricted Use provisions in Town Planning Scheme will be considered on merit. The advice of the City's Planning Services Department will be sought, and regard paid to the land use and development provisions in Town Planning Scheme.

3. What is the application process?

Prior to applying for a temporary accommodation approval, you will need to ensure:

- You are the owner of the land or have permission to camp on the land
- The proposed length of stay is determined
- The proposed caravan is suitable and safe to reside in
- The proposed caravan is suitable for the proposed length of stay
- You can meet the requirements of this guideline and policy

The following decision tree outlines the application process based on your proposed length of stay.



Please take the following steps when preparing and submitting your application:

1. Read through this guideline and the policy and ensure you can meet the requirements.
2. Choose an appropriate position, based on the parameters within the guidelines.
3. Prepare site plans. Site plans can be hand drawn but need to be neat and legible.
4. Prepare supporting documentation, please use the checklist with the application form to ensure all necessary items are provided.
5. Submit the application with supporting documentation and pay the non-refundable application fee as per the Schedule of Fees and Charges.

Incomplete applications will not be processed until all information is received. Additional information may be required at the City's discretion.

The City will assess the application once payment has been received. The application will be referred internally for comment, should the City approve your application you will be issued a pre-approval with conditions. A site inspection will be requested to ensure the applicant has complied with pre-approval conditions prior to final approval being given.

It is the responsibility of the applicant to ensure the conditions are complied with.

4. Permitted length of stay

An application can be made for up to 24 consecutive months subject to the proposed temporary accommodation (see Table 1). Any renewal will require a new application to be completed.

Table 1: Temporary accommodation type and permitted length of stay

| Temporary accommodation type | Permitted length of stay |
|--|-----------------------------|
| Person camping in a caravan who are visitors to the occupiers of the dwelling on the land – caravan parked at the front of the property. | Up to 30 consecutive days |
| Person camping in a caravan on land that contains a dwelling. | Up to 24 consecutive months |
| Person camping in a caravan on vacant land with a building permit for a dwelling in effect for that land. | Up to 24 consecutive months |

5. Conditions of approval

The following sections outlines the requirements to be considered and complied with when seeking approval for temporary accommodation.

5.1 General

- Temporary accommodation will only be approved in a registered and roadworthy single storey caravan. Any other form of temporary accommodation will not be considered.
- Temporary accommodation may be approved on land that contains a dwelling, subject to conditions.
- Temporary accommodation may not be approved on vacant land that is zoned by the City's Town Planning Scheme No.4 as "Residential".
- Temporary accommodation may not be approved on vacant land that is zoned by the City's Town Planning Scheme No.4 as "Residential" while a building permit for a dwelling is in effect, due to safety and health concerns posed by the activity of camping on a construction site that is constrained in size.

- Temporary accommodation may be approved on vacant land that is zoned by the City's Town Planning Scheme No.4 as "General Rural" or "Rural Living" while a building permit for a dwelling is in effect, subject to conditions.
- The caravan used for temporary accommodation is to be maintained, as not to cause a nuisance or become injurious or dangerous to the health of the occupants and the neighbouring properties.
- No more than one caravan will be approved on a single lot for temporary accommodation.
- Only flexible annexes are permitted to be attached to the caravan used for temporary accommodation.
- Compliance with the *Environmental Protection (Noise) Regulations 1997* is required.
- The City will revoke any temporary accommodation approval should it be determined the approval is not being carried out in accordance with this guideline, the conditions of approval or any other relevant legislation.
- The City will revoke any temporary accommodation approval if a hazard to safety or health is being created.

5.2 Amenity and setbacks

- The caravan is to be located behind the building line (not applicable for temporary accommodation applications up to 30 consecutive days)
- The caravan is to be positioned in accordance with the setbacks listed in the policy.
- If the caravan has windows within 6 metres of a neighbouring property, privacy screening must be provided. Screening to be of a material that does not deteriorate and obscures the view from inside the caravan, for example, frosted adhesive window film.
- Any external fixtures, utilities and facilities such as aerials, satellite dishes, clothes lines or other external fixtures are to be situated so they are not visually obtrusive and where possible located out of the view from the primary street or any public area.

5.3 Mobility and habitable condition

- The caravan must be maintained in a habitable state with access to potable water, wastewater disposal and rubbish disposal at all times. A habitable state means in a good state of repair with no major maintenance concerns that would render it unsafe or unfit to reside in.
- The caravan must be maintained to ensure it can be moved under its own power or be towed within 24 hours of any services being disconnected. The caravan must be roadworthy and the vehicle registration must be maintained.

5.4 Utilities

- The caravan must be connected to an adequate electrical power supply, the use of generators is not permitted. The applicant is responsible for ensuring any electrical connection does not pose a safety hazard, it is recommended that a licensed electrical contractor be engaged to provide suitable connection options.
- The caravan must be connected to an adequate potable water supply.
- If required, gas bottles are permitted to use.

5.5 Sanitary and ablution facilities

- Applications for temporary accommodation in a caravan up to 30 consecutive days on land containing a dwelling requires access to the kitchen, toilet, bathroom and laundry facilities within the dwelling on the land.
- Applications for temporary accommodation in a caravan up to 24 consecutive months on land containing a dwelling requires a kitchen, toilet, bathroom and laundry to be contained within the caravan.
- Applications for temporary accommodation in a caravan up to 24 consecutive months on vacant land while a building permit for a dwelling is in effect requires a kitchen, toilet, bathroom and laundry to be contained either:
 - within the caravan; or
 - within an approved Class 10a shed on the land.

5.6 Wastewater management

No wastewater from temporary accommodation shall be discharged onto the ground surface. All wastewater is to be disposed of in an approved wastewater system as per below:

- The kitchen, bathroom and laundry facilities within the caravan must be connected to either:
 - a reticulated sewer connection point on the property (the connection must be secured but not permanent, advice from a licensed plumber is recommended);
 - an existing approved onsite wastewater system (approval will not be given if the existing system cannot accommodate the additional wastewater); or
 - a new approved onsite wastewater system (approval will only be given when the proposed system is associated with the construction of a new dwelling on the property).
- The toilet within the caravan must be a cassette type toilet which is to be emptied into either:
 - a toilet on the property;
 - a reticulated sewer connection point on the property;
 - an existing approved onsite wastewater system that capable of servicing the additional wastewater generated (only septic friendly chemicals to be used); or

- a new approved onsite wastewater system, when the temporary accommodation is associated with the construction of a new dwelling on the property (only septic friendly chemicals to be used).

Note: Separate approval is required from the City's Health Service should you need to connect to an existing or new onsite wastewater system.

5.7 Waste management

All rubbish and recycling are to be managed as to not create a nuisance, odorous or become a breeding area or attractant to vermin.

5.8 Fire safety

Fire safety is critical to ensure the temporary accommodation does not endanger the occupants or surrounding areas. All temporary accommodation is to consider the following:

- A smoke alarm, fire blanket and dry powder extinguisher shall be installed in the caravan and maintained by the applicant for the duration of the temporary accommodation approval.
- Applicants are responsible for being aware of the bushfire prone status of the land and should take necessary steps to ensure occupants are able to evacuate.
- In bushfire prone areas, there must be 3 metres of defensible space surrounding the caravan.

DEFINITIONS

Camp

As defined in the *Caravan Parks and Camping Grounds Act 1995*.

Caravan

As defined in the *Caravan Parks and Camping Grounds Act 1995*.

Vehicle

As defined in the *Caravan Parks and Camping Grounds Act 1995*.

FAQS

Is a Tiny Home on Wheels (THOW) considered to be a caravan?

Yes, if a THOW fits the definition of a caravan under the *Caravan Parks and Camping Grounds Act 2005*. It must be a vehicle fitted for habitation that can be licensed under the *Road Traffic (Vehicles) Act 2012* by the Department of Transport as a light vehicle (not exceeding 4,500 kg).

How long can I camp in a caravan on my private land or land that I have a legal right to occupy?

Under the *Caravan Parks and Camping Grounds Regulations 1997* a local government can approve the use of a caravan on private land up to 24 months, subject to compliance with health, safety and other conditions the local government imposes.

Can a caravan be removed from the trailer base?

To be approved under the *Caravan Parks and Camping Grounds Regulations 1997*, the caravan needs to remain on its trailer base as it must be capable of being towed/easily removed.

If it is removed from the trailer base, the caravan is considered a permanent structure and therefore subject to development and building approvals.

Can I have more than one caravan on my property?

No, the City will grant approval for only ONE caravan to be occupied on your property at any one time.

Any more than one would be considered a caravan park/camping ground and therefore subject to development and building approvals.

Can I apply under this policy for approval to holiday let (e.g. AirBnB) a caravan on property that I own or have legal right to occupy?

No, approvals under this policy are granted to specific persons requesting temporary accommodation in a caravan for up to 2 years on a particular property. Approvals under this policy are not granted for letting/renting of caravans for holiday accommodation on an ongoing basis. Short-term rental accommodation (STRA) in Western Australia is governed by the *Short-Term Rental Accommodation Act 2024* and other legislation. Further information can be obtained from the WA State Government website: <https://www.wa.gov.au/government/document-collections/short-term-rental-accommodation>

This guideline can be accessed on the City's website:

<https://my.armadale.wa.gov.au/service/public-health/health-forms-and-fees>

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