



Shire of Northam

## **INFORMATION TEMPORARY ACCOMMODATION**

### ***REQUIREMENTS OF COUNCIL POLICY No. 8 “Temporary Accommodation during Construction of a Dwelling”***

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Department Regulatory Services  
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## **TEMPORARY ACCOMMODATION POLICY**

### **Aim**

*The aim of this policy is to permit the use of temporary accommodation on site to assist home builders to construct a dwelling on their land.*

### **Summary**

Approval from the Shire is required to occupy Temporary Accommodation in the Shire of Northam. Approval will only be granted in the following circumstances:

- Application forms are completed and submitted together with applicable fees;
- Approval to construct a permanent dwelling on the site has been approved, and

- Approval will only be granted for a period of up to 12 months. The Shire may consider an application to extend the approval period of up to a further 12 months, but extensions will only be granted if substantial progress has been made on the construction.

## Legislation

This policy includes the provisions of the Building Code of Australia, *Caravan Parks and Camping Ground Act 1995*, the *Health Act 1911* and Council's Planning Scheme.

## What is Temporary Accommodation?

The only form of Temporary Accommodation to be approved shall be:

- a) A caravan in accordance with the *Caravan Parks and Camping Grounds Regulations 1997* for a period up to 12 months for the purpose of constructing a dwelling; with
- b) Ablution and kitchen facilities contained in a Class 10 Building (shed,) for which a building license has been issued and approval and permit for the installation and use of a septic system has been issued.

## Application

The applicant is to apply for the following and submit to the Shire together with applicable plans and fees. Forms are available from the Shire office or on line at [www.northam.wa.gov.au](http://www.northam.wa.gov.au) :-

- Building Application Forms (Class 10a shed);
- Application for approval to install a septic system;
- Application for Temporary Accommodation During Construction of a Dwelling;
- Signed Statutory Declaration;

## Conditions for approval

- Applicants must own or have a legal right to occupy and build on the land.
- Approval will be for a period of up to 12 months. The Shire may consider an application to extend the approval period of up to a further 12 months, but extensions will only be granted if substantial progress has been made on the construction of a dwelling. Substantial progress of the dwelling is considered to be "lock up stage" (eg: outer walls and roof completed).
- Approval will only be considered on land in the following zonings:
  - R25;
  - Rural Residential;
  - Rural smallholding; and
  - Rural.
- The following minimum facilities are to be completed before occupation and they are conditional upon any approval:
  - An effluent disposal system to be installed and "Permit to Use" issued. (Application to Construct or Install an Apparatus for the Treatment of Sewerage" required to be submitted.)
  - Provision of suitable ablutions including flushable toilet or approved chemical toilet, hand basin, shower and trough.

- Toilet and ablution facilities must be connected to an adequate supply of potable water and all waste water disposed of to an approved effluent disposal system.
- Setbacks for temporary accommodation are the same as prescribed for buildings within that zoning, as determined by the Town Planning Scheme.

**Compliance issues**

- Kitchen facilities constructed in the class 10a shed are to be decommissioned within 6 months of practical completion of the dwelling or should the Temporary Accommodation approval become invalid. Toilet, shower and hand basin installations may be retained.
- Expiration or cancellation of the building license for the dwelling will void the Temporary Accommodation approval.
- No extension of approval will be considered if building of the dwelling has not substantially commenced.
- The Shire may revoke any Temporary Accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation that falls within the jurisdiction of the Local Government.
- The Shire reserves the right to revoke the approval based on any complaints received that in the opinion of the Shire, unduly affects the amenity of the area, or on any other grounds that the Shire deems necessary to protect health, safety and wellbeing.

**STATUTORY DECLARATION**

Attachment No.1 Item 8

I, (insert name)

.....  
of (insert residential address)

.....  
Occupation

.....  
do solemnly and sincerely declare that:

1. I am the registered proprietor or entitled to be the registered proprietor of the land, or have a legal right to occupy the land situated at

Lot ..... Street ..... Suburb ..... (“the Land”).

2. I am currently building/having built a dwelling (strike out whichever is not applicable) on the Land.
3. I shall not occupy the temporary accommodation before the date of issue of my temporary accommodation approval.
4. I shall not occupy the temporary accommodation otherwise than in accordance with the Shire's approval of such occupation and any condition of such approval.
5. I acknowledge that Temporary Accommodation approval shall only be issued for a period up to twelve (12) months. An extension for Temporary Accommodation maybe considered should the Shire be satisfied that substantial progress of the dwelling has been undertaken. Substantial progress of the dwelling is considered to be to 'lock up stage' (Eg; outer walls and roof completed).
6. On completion of the dwelling I will reside in the house and within six (6) months of residing in the dwelling I will ensure the kitchen Temporary Accommodation facilities are decommissioned unless otherwise approved.
7. I acknowledge and accept that the Shire of Northam reserves the right to revoke the approval based on any non-compliance with conditions of approval. Complaints received that in the opinion of the Shire, unduly affects people's amenity, or on any other grounds that the Shire deems necessary to protect people's health, safety and wellbeing.
9. I am aware that it is on the basis of my above declarations that the Shire may grant approval of my application to occupy the Temporary Accommodation. And that in the event that I occupy the temporary accommodation otherwise than in accordance with the terms of my approval to occupy or any extension of it then I may be prosecuted by the Shire and the statements I have made in this statutory declaration may be tendered in evidence against me.

**SCHEDULE**

And I make this solemn declaration by virtue of section one hundred and six (106) of the Evidence Act, 1906.

Declared at )  
 this day of ..... )  
 before me: )

.....  
 Justice of the Peace OR

Authorised Witness(Accountant, Architect, Bank Manager, Chemist, Dentist, Doctor, MP, Engineer, Insurance Broker, Lawyer, LG CEO or Dept CEO or Councillor, Minister or Religion, Nurse, Optometrist, Physio, Podiatrist, Police, PO Manager, Psychologist, Public Servant, Real Estate Agent, Settlement Agent, Surveyor, Teacher, Vet)



*Heritage, Commerce and Lifestyle*

## **APPLICATION FOR TEMPORARY ACCOMMODATION DURING CONSTRUCTION OF A DWELLING**

**To the Chief Executive Officer**

***This application is for a request to reside in Temporary Accommodation pursuant to the Caravan and Camping Ground Regulations 1997 whilst undertaking the construction of a dwelling in the Shire of Northam.***

### **Applicant Details**

Name:

\_\_\_\_\_

Property Address:

\_\_\_\_\_

Postal Address:

\_\_\_\_\_

Tel:

\_\_\_\_\_

Mobile:

\_\_\_\_\_

Fax:

\_\_\_\_\_

Email:

\_\_\_\_\_

### **Temporary Accommodation Details**

1. Property Address:

\_\_\_\_\_

2. Proposed Date of Occupation:

\_\_\_\_\_

3. No. Persons Residing On Site:

\_\_\_\_\_

4. Toilet Facilities:

- Hand Basin
- Flushable Toilet
- Chemical Toilet

5. Bathroom Facilities:

- Shower
- Bath

6. Laundry Facilities:  Wash Trough  
 Washing Machine
7. Effluent Disposal System:  Septic Tanks and Leach Drains  
 Alternative Treatment System (ATU)  
 Date – Approval to Construct System \_\_\_\_\_  
 Date – Permit to Use System \_\_\_\_\_
8. Potable Water Source:  Scheme Water  
 Rain Water – Tank Capacity \_\_\_\_\_(Litres)  
 Other (provide details) \_\_\_\_\_
9. Setbacks for Accommodation:  Yes  
*(not established closer to any property boundary than setbacks prescribed for buildings under the applicable zoning)*  
 No (variation requested)
10. Site Plan:  Location and Setback Distances for all Development (Eg; dwelling, outbuildings, effluent disposal)  
*(two copies required)*  Location of Natural Features (contours, waters courses)
11. Floor Plan:  Location of Bathroom, Toilet and Laundry Facilities  
*(two copies required)*
12. Dwelling Building Licence Approval No: \_\_\_\_\_

**Applicant Take Note**

- *I hereby certify that I have read and will comply with the provisions of the Shire of Northam 'Temporary Accommodation during the Construction of a Dwelling Policy'.*
- *I hereby certify that I have completed the application 'Temporary Accommodation during the Construction of a Dwelling Policy', attached all requested plans and that the information I am submitting in this application is accurate and true.*
- Attached is a cheque / cash to the amount of \$ \_\_\_\_\_ to cover the application fee.  
*(For current application fee please refer to the Shire of Northam's Fees and Charges)*

Applicant Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_