
HEALTH POLICIES

Temporary Accommodation



Policy Number:	H3
Relevant Delegation:	Not Applicable
Adoption Details:	17 December 2012
Last Review Details:	24 February 2026

POLICY OBJECTIVE:

The objective of this policy is to provide clear and consistent guidance for assessing and determining applications for temporary accommodation on private land within the Shire of York, in circumstances where the accommodation is not located within a registered caravan park or dedicated camping facility. The policy aims to ensure temporary accommodation is safe, sanitary, appropriately located, and compliant with relevant legislation.

POLICY SCOPE:

This policy applies to all temporary accommodation proposed on privately owned or legally occupied land within the Shire of York.

A person may stay in temporary accommodation on a property for up to 5 nights within any 28-day consecutive period without Shire approval.

Any stay exceeding this period requires an application to the Shire for assessment and potential approval for a maximum period of 24 consecutive months. Applicants may reapply upon expiry.

Additional provisions:

- Camping on State or Federal reserves requires approval from the managing authority.
- Where more than one temporary accommodation approval is sought on a private lot, the Shire may grant an additional approval for up to 3 months. A period exceeding 3 months requires approval from the Minister for Local Government, Sport and Cultural Industries.

Note: Temporary accommodation is prohibited within the Shire's designated Heritage Areas, on any Heritage-Listed Property, or within the Avon River Floodplain unless expressly approved by Council.

POLICY STATEMENT:

1. INTRODUCTION

Temporary accommodation is occasionally required to support land development, property maintenance, transitional living arrangements or for temporary housing following a natural disaster. It may also be necessary to provide short-term accommodation for individuals and families experiencing housing pressure while they work toward a permanent and lawful housing outcome. This policy establishes the Shire of York's expectations and requirements to ensure temporary accommodation is safe, sanitary, appropriately located, and does not adversely impact public health, neighbouring amenity, or the environment.

Temporary Accommodation includes camping and the use of any caravan, tiny home on wheels (THOW), or recreational vehicle (RV) used for sleeping on private land.

2. PRINCIPLES

The Shire recognises that temporary accommodation may be required in a range of circumstances, including during dwelling construction, following a natural disaster, or as part of a transitional living arrangement while a permanent housing solution is pursued. The Shire is committed to supporting lawful transitional accommodation where it can be managed safely and without unacceptable impacts on the community or environment.

In assessing temporary accommodation proposals, the Shire will be guided by the following principles:

- **Supporting transitional accommodation needs** in a way that is lawful, fair, and consistent
- **Protecting public health and safety**, including safe living conditions and sanitary facilities
- **Maintaining neighbourhood amenity**, including minimising impacts on adjoining properties
- **Ensuring access to essential services**, including potable water, power, waste disposal, and wastewater management
- **Ensuring compliance with the regulatory framework**, including relevant health, planning and camping legislation
- **Ensuring the accommodation remains temporary in nature**, and is not used for tourism, holiday rental, or ongoing residential occupation

3. PROVISIONS

The Shire of York may consider applications for temporary accommodation on private land where it is demonstrated that the proposal is required to meet a genuine short-term need and can be managed in a manner that protects public health, neighbourhood amenity, and the environment.

Applications are assessed on a case-by-case basis and must demonstrate compliance with relevant legislation, this Policy, and the Shire's Temporary Accommodation Guidelines. Where supported, approvals will be time-limited and may be issued subject to conditions relating to siting, access to essential services, wastewater disposal, waste management, emergency management measures, and ongoing compliance.

The Shire is committed to supporting lawful transitional accommodation arrangements where an individual or family is actively working toward a permanent and compliant housing outcome (which may include construction, relocation or other long-term housing solutions), provided the temporary accommodation does not result in unacceptable impacts or constitute ongoing residential occupation outside of approved land use provisions.

3.1 Application Requirements

Applicants must:

- Own the land or hold a legal right of occupancy
- Submit a completed Temporary Accommodation Application Form
- Pay the applicable fee
- Comply with the Shire's Temporary Accommodation Guidelines

Applications will only be considered within the following zones:

- Residential
 - Rural Residential
 - Rural Smallholdings
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- Rural Townsite
 - Rural

Where an existing dwelling is already located on the lot, temporary accommodation may be considered for approval for a period of up to 24 months, provided it:

- Is located behind the existing dwelling; and
- Complies with all requirements of this Policy and the Shire's Temporary Accommodation Guidelines.

3.2 Site Requirements

- The temporary accommodation must be wholly contained within the property boundaries.
- The temporary accommodation must meet the setback requirements of the Residential Design Codes (R-Codes) or the Local Planning Scheme provisions applicable to the zoning of the land.

Temporary accommodation is not permitted within the Shire's designated Heritage Areas, on any Heritage-Listed Property, or within the Avon River Floodplain, unless Council determines otherwise and grants approval.

3.3 Notification to Adjoining Owners

The Shire will undertake written notification to the occupiers of adjacent properties. Any submissions received will be considered prior to determining the application.

3.4 Health, Safety and Utility Requirements

Approvals will only be issued where the following are demonstrated to the satisfaction of the Shire:

- Sufficient power supply
- Access to potable water
- Adequate wastewater management systems
- Suitable cooking and laundry facilities
- Emergency management measures (smoke detection, fire suppression)
- Waste and recycling arrangements (rubbish collection service or waste management plan)
- Where the land is located within a designated Bushfire Prone Area, the applicant must submit a Bushfire Management Plan to the satisfaction of the Shire, including provision and ongoing maintenance of an Asset Protection Zone (APZ) and firebreaks around the property perimeter
- Any additional requirements deemed necessary by the Shire

3.5 Assessment and Issuing of Approval

Upon receipt of a complete application and fee:

- Environmental Health will assess the application
- A site inspection will be conducted
- An approval will be issued if all requirements are met
- Follow-up inspections may occur during the approval period

3.6 Duration and Renewal

A renewal (re-application) is assessed as a new application and must meet the current policy and guideline requirements at the time of submission.

- Maximum approval duration: 24 months
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- Renewal requires:
 - A new application
 - Payment of relevant fees
 - A structural report confirming the integrity of the habitable structure
 - All re-applications require evidence that a valid Building Permit for a dwelling is in place prior to approval being granted.

A building permit must remain on place for the duration of the approval period and there should be satisfactory progress with the construction of the permanent dwelling.

3.7 Prohibited Use

Temporary accommodation must not be used for holiday rental or tourism purposes.

3.8 Ceasing of Use and Withdrawal of Approval

- If use ceases prior to the approval expiry date, the Shire must be notified (no refund applies).
- The Shire may withdraw an approval if any condition of approval is breached.

RELEVANT LEGISLATION

- *Local Government Act 1995*
- *Caravan Parks & Camping Grounds Act 1995*
- *Caravan Parks & Camping Grounds Regulations 1997*
- Local Planning Scheme No. 3
- Residential Design Codes (R-Codes)
- Planning and Development (Local Planning Schemes) Regulations 2015

RELATED DOCUMENTS

- Shire of York Local Heritage Survey
- Shire of York Temporary Accommodation Guidelines

PENALTIES:

Violations of this policy, including camping or occupying a caravan without permission, may result in penalties under the *Caravan and Camping Grounds Regulations 1997*.

KEY TERMS/DEFINITIONS:

Definitions for terms used in this policy are consistent with the:

- Caravan Parks and Camping Grounds Act 1995
- Caravan Parks and Camping Grounds Regulations 1997
- Shire of York Local Planning Scheme No. 3
- Planning and Development (Local Planning Schemes) Regulations 2015

Tiny Home on Wheels (THOW) – means a structure that is designed for human habitation on a wheeled base, no greater than 50m² in floor area, constructed of domestic grade materials with the character of a dwelling, and with the capacity to be licensed as a vehicle under the *Road Traffic (Vehicles) Regulations 2014*. This definition of a THOW is not taken to include:

- An original or retrofitted caravan, bus, truck body, wagon, or other vehicle; and,
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- A tent, camper trailer, yurt, or other temporary structure associated with camping; and,
 - A park home, sea container or other transportable structure whether designed or adapted for residential use.
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Responsible Officer: Executive Manager Infrastructure and Development Services

Contact Officer: Environmental Health Officer

Relevant Legislation: Regulation 11, *Caravan and Camping Ground Regulations 1997*

Review History:

Date Review Adopted:	Resolution Number
Reviewed – 17 December 2012	081212
Reviewed – 27 April 2021	050421
Reviewed – 24 February 2026	030226
Former Policy No: P11	
