

## Local Planning Policy

### No 21 – Tiny Houses on Wheels (THOW)



#### 1.0 Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Policy may be cited as Local Planning Policy 21 Tiny Houses on Wheels (THOW).

#### 2.0 Introduction

This Policy establishes the Shire's position on Tiny-Houses-On-Wheels (THOW – referred to as Tiny Houses)

Tiny Houses are defined as dwellings with a floor area of 50m<sup>2</sup> or less which are built on a wheeled trailer base that can be transported and can remain tethered to a site for an extended period.

This Policy also guides Tiny House Community development (comprising two or more Tiny Houses on a single lot) and the use of Tiny Houses for short-term tourism accommodation.

#### 3.0 Purpose

The objectives of this Policy are:

- To identify where a Tiny House or Tiny House community may be permitted.
- To provide a guiding framework to assess Tiny Houses against.
- To outline standard requirements for all Tiny Houses to comply with related regulations.
- To clarify that the standard of building required should refer to Vehicle Standards Bulletin 1 in the absence of a classification for Tiny Houses in the National Construction Code.

#### 4.0 Application

This Policy applies to all zoned and reserved land under Local Planning Scheme No.3.

#### 5.0 Policy Statement

##### 5.1 Definitions

A Tiny House is a dwelling of no more than 50m<sup>2</sup> in area which is built on a wheeled trailer base, constructed of domestic grade materials and finishes, and is permanently occupied. A Tiny House cannot (and is designed not to) be moved under its own power and is designed and built to look like a conventional dwelling.



In the context of this policy, a fitted bus, van or truck, wagon, sea container, caravan, tent, yurt, non-retrofitted vehicle or 'donga' transportable or park home, is not a tiny home.

The definition of a Tiny House does not relate to permanently fixed smaller sized homes on foundations. A small sized house on fixed foundations can be already be assessed under the Local Planning Scheme, Residential Design Codes and the National Construction Codes.

A Tiny House Community is a group of two or more Tiny House dwellings with an individual floor area of no greater than 50m<sup>2</sup> located on the same parent lot, or strata lot with shared common property.

## 5.2 Development Approval Requirements

A Development application for a Tiny House is subject to the following requirements:

- a) Development Approval is required for all Tiny Houses.
- b) A Tiny House on one titled lot will be considered a single house.
- c) A Tiny House on a lot with an existing dwelling will be considered an ancillary dwelling.
- d) Two or more Tiny Houses (a Tiny House Community) on a single titled lot will be considered and assessed as Grouped Dwelling Land use.
- e) Should Development Approval be granted for a single Tiny House, which then moves away from the property and then moves back to the same location within two years from the approval date, the Development Approval is still valid.
- f) Should Development Approval be granted for a single Tiny House, which then moves away from the property and is replaced with a different Tiny House within two years from the approval date, Development Approval will be required.

## 5.3 Single Tiny House on a Single Lot

Development Approval may be granted for a Tiny House on a Residential, Rural-Residential, Rural Smallholding, Rural, Commercial, Environmental Conservation and Special Use zoned lot provided the proposal meets the following:

- a) Complies with Single House site area, setback, open space and building height requirements for that zone in addition to the requirements of Table 1 – Tiny House Setback Requirements.

**Table 1 – Tiny House Setback Requirements**

Deemed – to comply	Design Objectives
<p><b>Residential and Commercial Zones</b></p> <p>Setbacks to be in accordance with the Residential Design Codes and/or applicable zone requirements.</p> <p>Not located in a special control area.</p>	<p>Where a setback variation is sought, the applicant must demonstrate:</p> <ol style="list-style-type: none"> <li>a) Appropriate screening shall be provided should the proposal have a reduced setback or is viewable from a public area to the satisfaction of the Shire of</li> </ol>



<p>Not located in a bushfire prone area.</p> <p>Not located on flood prone land</p>	<p>Boddington.</p> <p>b) That the proposal will not result in the excessive removal of significant trees or stands of established vegetation.</p>
<p><b>Rural-Residential, Rural Smallholding, Rural and Environmental Conservation</b></p> <p>Setbacks to be in accordance with the applicable zone and/or located within an approved building envelope when in place.</p> <p>Not located in a special control area.</p> <p>Not located in a bushfire prone area</p> <p>Not located on flood prone land</p>	<p>Where a setback variation is sought the applicant must demonstrate:</p> <p>a) The proposal does not detract from rural amenity or existing views of significance.</p> <p>b) Where there is a an existing dwelling, the Tiny House is located behind the building setback, or appropriate screening is provided where the proposal has a reduced setback or is viewable from a public area, to the satisfaction of the Shire of Boddington.</p> <p>That the proposal will not result in the removal of significant trees or vegetation.</p>

- b) Has access to at least one dedicated car-parking bay per Tiny House.
- c) Contains or is connected to an appropriate effluent disposal system, to the satisfaction of the Shire of Boddington.
- d) Has access to a source of electricity, which may include an off-grid solar system.
- e) Has access to a potable water supply.
- f) Additional fixed structures such as a deck, outbuilding, carport, or patio may be permitted provided within maximum site cover and minimum open space requirement for the applicable zone. Any additional structures should not exceed the height of the Tiny House. Where structures are fixed, a building permit will be required.
- g) If in a bushfire prone area, a Tiny House is to be subject to the same legislation and policy as a habitable dwelling. In a bushfire prone area the applicant is to provide a Bushfire Attack Level (BAL) assessment of the proposed tiny house site, demonstrate the design meets the applicable BAL standards as per AS3959 and if necessary demonstrate how it can comply with the recommended Asset Protection Zone (APZ) setback distances and/or applicable evacuation plan.

#### 5.4 Tiny House Community Development

A Tiny House Community may be considered in most zones subject to the following requirements:

- a) A Tiny House Community shall consist of two or more Tiny Houses parked on the



same parent lot, or on a strata lot with shared common property.

- b) A Tiny House Community must comply with the site area, setback, open space, communal open space and building height requirements of group dwelling development as per the Residential Design Codes and/or Local Planning Scheme No.3.
- c) A Tiny House Community may include portable Tiny Houses and fixed buildings, and provide shared facilities such as:
  - i. Kitchen.
  - ii. Common room or dining area.
  - iii. Toilets or shower facilities.
  - iv. Communal vegetable garden.
  - v. Kitchen, barbeque or recreational and leisure areas.
  - vi. Co-working spaces, studio, workshop or shed.
  - vii. Managed parkland and open space.
  - viii. Caretakers dwelling.
- d) All development applications for a Tiny House Community must include a Tiny House Community Management Plan outlining the following:
  - i. Ongoing management of communal facilities.
  - ii. Noise management.
  - iii. Waste management.
  - iv. Traffic management and provision of sufficient parking.
  - v. If in a bushfire-prone area the provision of a BAL assessment, bushfire management statement/plan and emergency evacuation plan.
- e) Communal facilities require management by a Board or caretaker that oversee funding, maintenance and management. The Board or caretaker also have the responsibility of maintaining the common property including vehicle access ways, parking bays, landscaping and other essential infrastructure.
- f) Crossovers are minimised and where vehicle access is provided the driveway is constructed and drained to the satisfaction of the Shire of Boddington.
- g) Every Tiny House must have access to a suitable source of power, potable water and effluent disposal to the satisfaction of the Shire of Boddington. Essential utilities can be provided through shared or common property,
- h) The proposal does not result in excessive clearing of vegetation and high-quality landscaping is provided.
- i) The site may contain a space where visitors can bring their own Tiny House to park onsite.



## 5.5 Tiny Houses for Short Term Tourism Accommodation

Development approval for a Tiny House may be granted for short term tourism accommodation and classified as a Single House, Ancillary Dwelling, or part of a Tiny House Community with consideration of the following criteria;

- a) Traffic is able to be contained by the local road network.
- b) Parking to be contained onsite.
- c) Retention of existing vegetation and proposed landscaping.
- d) Submission of a Management Plan which outlines maximum patron numbers, how complaints will be dealt with and/or potential for neighbouring land use conflicts and recommendations for ongoing management solutions.
- e) The site may contain a space where visitor can bring their own tiny house to park onsite.

## 5.6 Environmental Protection

As Tiny Houses are a 'transient' structure, Tiny Houses should not result in the clearing of native vegetation.

A Tiny House proposal will not be supported where in the opinion of the Local Government the development would result in the excessive removal of significant trees and vegetation, or adversely impact existing waterways, soil stability or ecosystem functions.

## 5.7 Mining Buffer

Tiny Houses proposed in the mining buffer will be considered on their merits.

## 5.8 Other matters to be considered

- a) Impact on neighbourhood amenity.
- b) Design and visual appearance.
- c) Whether it meets the objectives of that zone.
- d) Road Transport Authority (RTA) vehicle regulations.
- e) Environmental Health regulations.
- f) The National Building Construction Codes.
- g) Engineering certification.
- h) BAL construction standards.

<b>Policy Number / Name</b>	LPP 21 – Tiny House on Wheels (THOW)
<b>Adopted by Council</b>	
<b>Amended</b>	

