

ADOPTED		VERSION NO	1.3
COUNCIL MEETING MIN NO	336/22	REVIEW DATE	NOVEMBER 2026
DATE:	16 NOVEMBER 2022	FILE NUMBER	ENV200033

## Objective

To provide guidance to enable Mid-Western Regional Council (Council) to permit the temporary occupation of caravans, mobile homes and other temporary residential structures on private land in conjunction with the construction of an approved dwelling.

## Legislative requirements

Local Government Act 1993

Environmental Planning and Assessment Act 1979

## Related policies and plans

- Mid-Western Local Environment Plan 2012
- Mid-Western Development Control Plan 2013

## Policy

This policy applies to the Mid-Western Region Local Government Area.

1. A person shall not use or occupy a caravan or structure (other than an approved dwelling) for residential purposes on any land without prior consent and obtaining approval from Council.
2. Approval will not be issued unless the following have been complied with:
  - a. A Development Application for the erection of a permanent dwelling and the temporary occupation of a caravan, mobile home or residential structure has been lodged and approved by Council.
  - b. Adequate sanitary and ablution facilities have been provided to the satisfaction of Council. This may be by way of a temporary connection to Council's sewer infrastructure or installation of an On Site Sewer Management System. Approval pursuant to Section 68 of the Local Government Act 1993 is to be obtained from Council.
  - c. Adequate all weather internal access road is provided (rural areas only).
  - d. The caravan or structure is to be inspected and an approval will not be issued for any caravan or structure unless Council is satisfied that it is suitable for habitation.
  - e. All dwellings not connected to town water supplies shall be provided by the owner/occupier with water storage facilities with a minimum capacity of 45,000 litres. The storage facilities shall be designed so that 20,000 litres are reserved at all times for fire fighting purposes.

3. The following conditions shall apply to the approval:
  - a. The approval shall be for an initial period of six months and commence from the first day of occupation of the temporary structure. The occupier may apply in writing to Council, to extend the period of the approval for a further six months where it is demonstrated that the erection of the permanent dwelling on the land is proceeding satisfactorily. The combined time period shall not exceed twelve months in total.
  - b. The property and particularly the area immediately surrounding the temporary living site shall be maintained in a clean and tidy state at all times. Building materials shall be stacked and stored in an orderly fashion.
  - c. No nuisance whatsoever is to be caused by virtue of the occupation.
  - d. The caravan and structure is maintained in a habitable state at all times to the satisfaction of Council.
  - e. The approval is not transferable.
  - f. Council reserves the right to revoke any approval given if the conditions are not complied with.
  - g. The applicant agrees to vacate the site within one month of approval being revoked and the applicant understands that legal proceedings will be instituted if a direction to vacate is not complied with.
4. Council may not require compliance with Clause 3a above and allow extended occupation of a caravan, mobile home and other temporary residential structures, if medical and financial evidence substantiates that there is no alternative.