

POL 0090: Temporary Accommodation

Purpose

This policy provides guidance to support applications seeking an approval for temporary accommodation on private property or in an area other than a caravan park.

Scope

A person may stay in temporary accommodation on a property for up to 5 nights per 28-day consecutive period without a shire approval. Any period greater than this, requires an application to the local government for assessment and possible approval for a maximum of 24 consecutive months. An applicant may reapply after 24 months to renew their application. If an applicant is seeking to camp on a state or federal reserve, approval must be obtained from the relevant authority who manages that land. If there is more than one approved application on a private lot, an additional approval may be given for up to 3 months by the local government. Any period longer than 3 months is required from the Minister for Local Government, Sport and Cultural Industries.

Practice

This policy is supported by the Shires temporary accommodation guidelines, application and assessment process. For applications to be considered, the requirements detailed in the guidelines must be adhered to.

The applicant must own or have a legal right to occupy the land and is to complete the application form (insert link) and submit to the Shire with the applicable fee.

Applications will not be considered outside the following zoned areas;

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

Any camp is to be located wholly on the property and be at least 1 metre from the property boundary, at least 1 metre from vehicle access areas, and at least 1.8 metres from structures.

Occupiers of adjacent properties will be notified in writing and the responses will be considered prior to the approval of any application.

Approvals will only be granted where health, safety and hygiene requirements have been met. This includes the following requirements;

- power

- potable water
- waste water management
- cooking and laundry facilities
- emergency management (fire suppression and smoke detection)
- waste and recycling (rubbish collection service or waste management plan is required)
- any other requirement at the request of the Shire.

Upon receipt of an application and fee, Environmental Health will assess the application, conduct an evaluation of the site, and issue a permit where the application is approved. Follow-up site assessments may be conducted throughout the duration of the approval period.

Approval can be for a maximum period for 24 months, and any reapplication will require the completion of a new form, fee payable and be accompanied by a structural report confirming the integrity of the habitable camp.

The temporary accommodation cannot be used as holiday rental or for tourism purposes.

Should the temporary accommodation cease prior to the expiry of the permit, the local government must be notified. No refund is applicable.

The Shire reserves the right to withdraw an approval, where a breach of an approval condition has occurred.

.....End.....

Document Information

Responsible Position	Manager Waste & Environmental Health
Risk Rating	High

Referencing Documents

- *Local Government Act 1995*
- *Caravan and Camping Ground Act 1995*
- *Caravan and Camping Ground Regulations 1997 (as amended 1 September 2024)*
- *Health (Miscellaneous Provisions) Act 1911*
- *Building Code of Australia / National Construction Code*
- *Shire of Esperance Local Planning Scheme 24*

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
Oct 2024	1	D24/29067	New Policy	O1024-051	Oct 2026