



*legally*

# WHERE CAN I PUT MY TINY HOUSE?

TINY HOMES CARNIVAL— 8 MARCH 2020

WHO ARE WE?

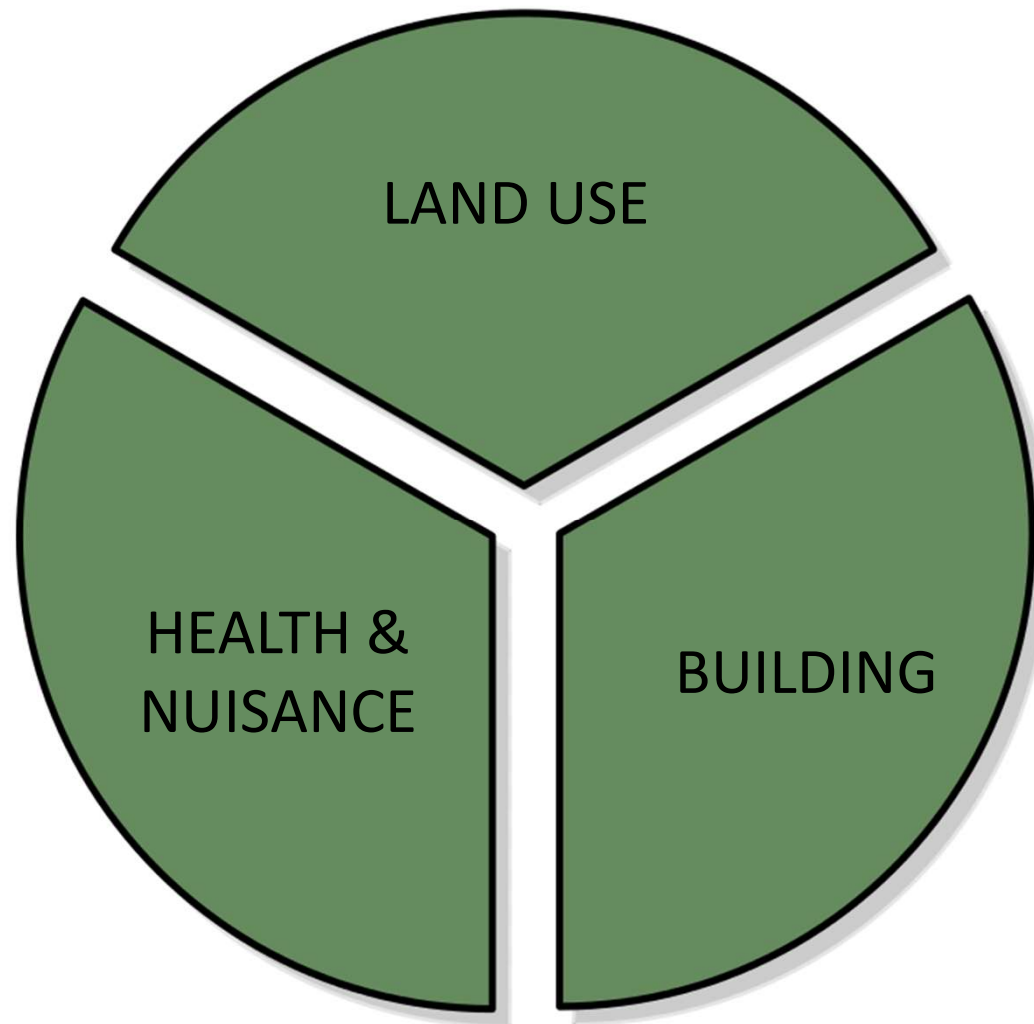
2017 JUNE – LAUNCH ‘TINY HOUSE PLANNING RESOURCE’





CONTEXT

# REGULATORY LANDSCAPE







# LAND USE

## STATE PLANNING LEGISLATION, COUNCIL PLANNING SCHEMES

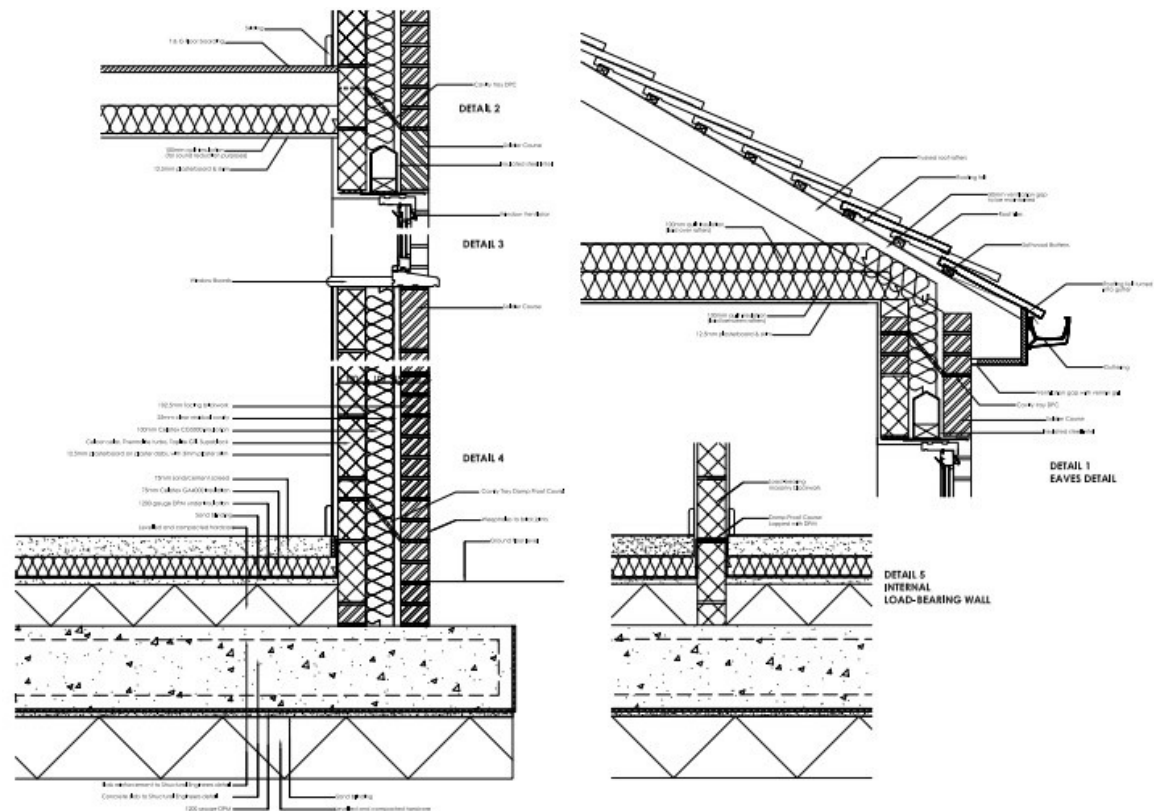
- USE DEFINITIONS
- LAND ZONING
- CODES



# BUILDING

## NATIONAL CONSTRUCTION CODE

- SAFETY
- HEALTH
- ENERGY EFFICIENCY





## HEALTH AND NUISANCE

### LOCAL POLICIES/LAWS

- PUBLIC HEALTH & SAFETY
  - On-site Sewage Management, Waste Disposal & Potable Water
- NOISE
- CAMPING / PARKING



# OUR CHALLENGE

- PLANNING AND BUILDING REGULATIONS
- DEFINITIONS
- PERCEPTIONS



Fixed dwellings

Moveable dwellings

DISCLAIMER

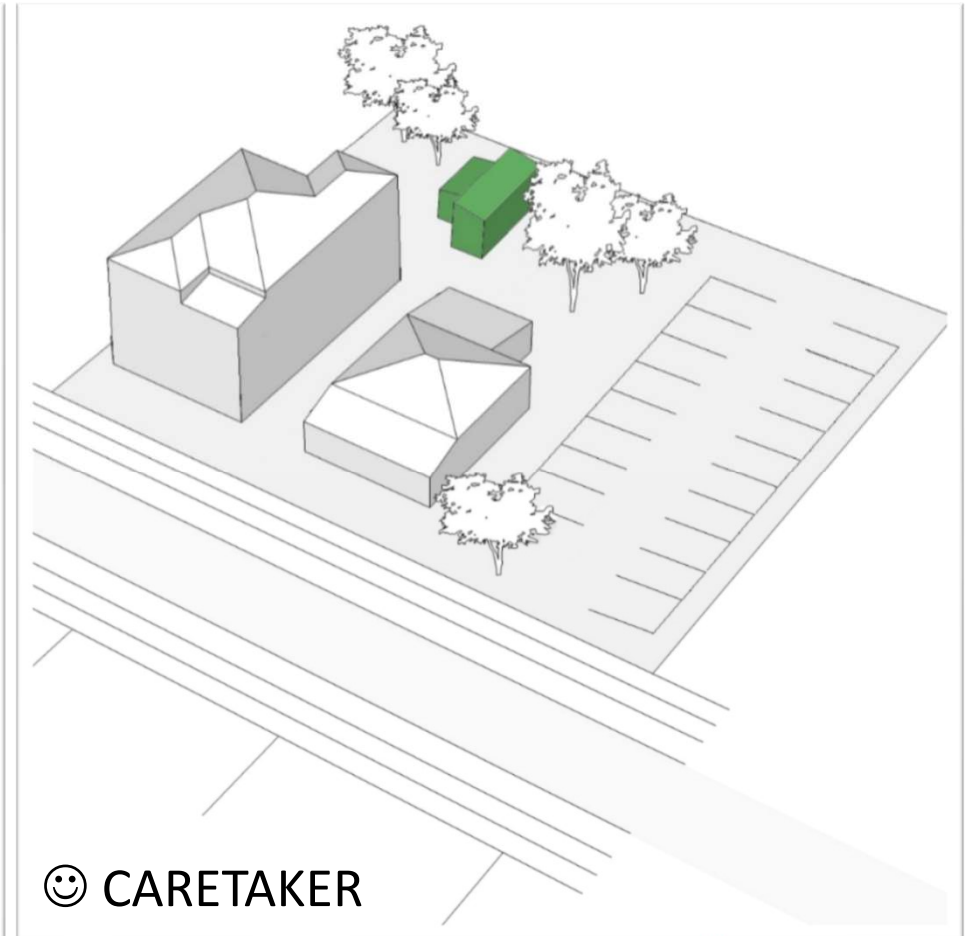
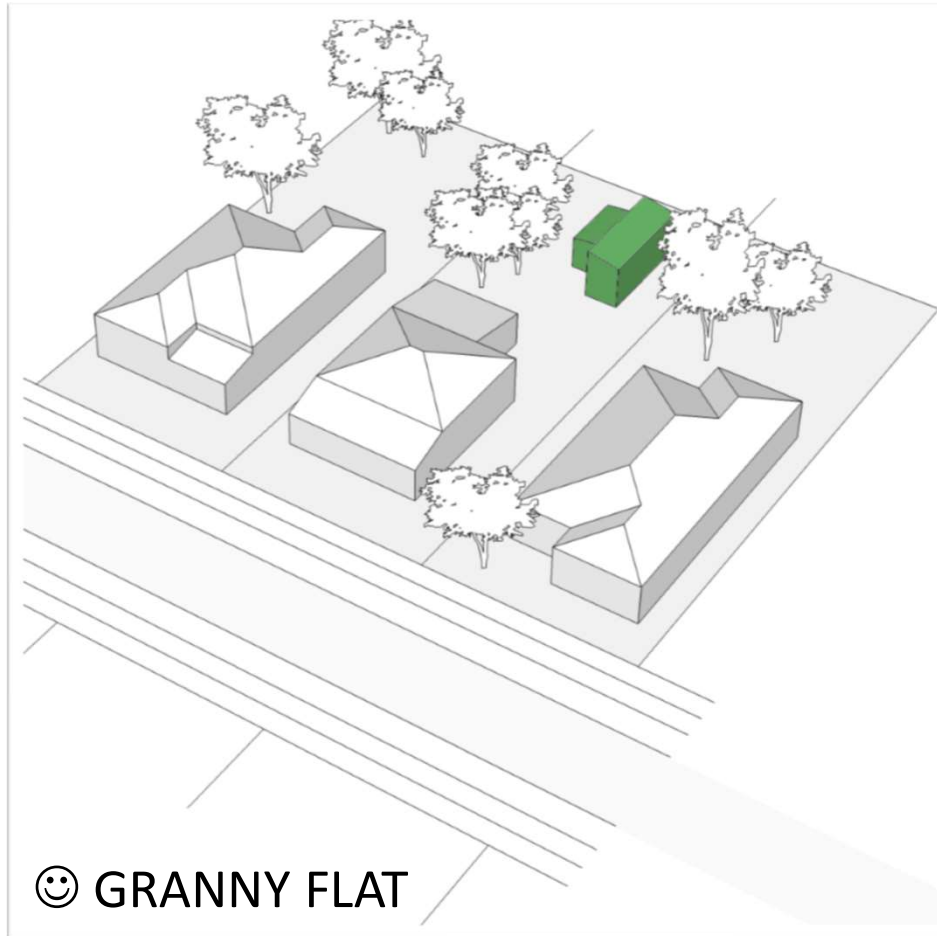
# OUR CHALLENGE



Fixed dwellings

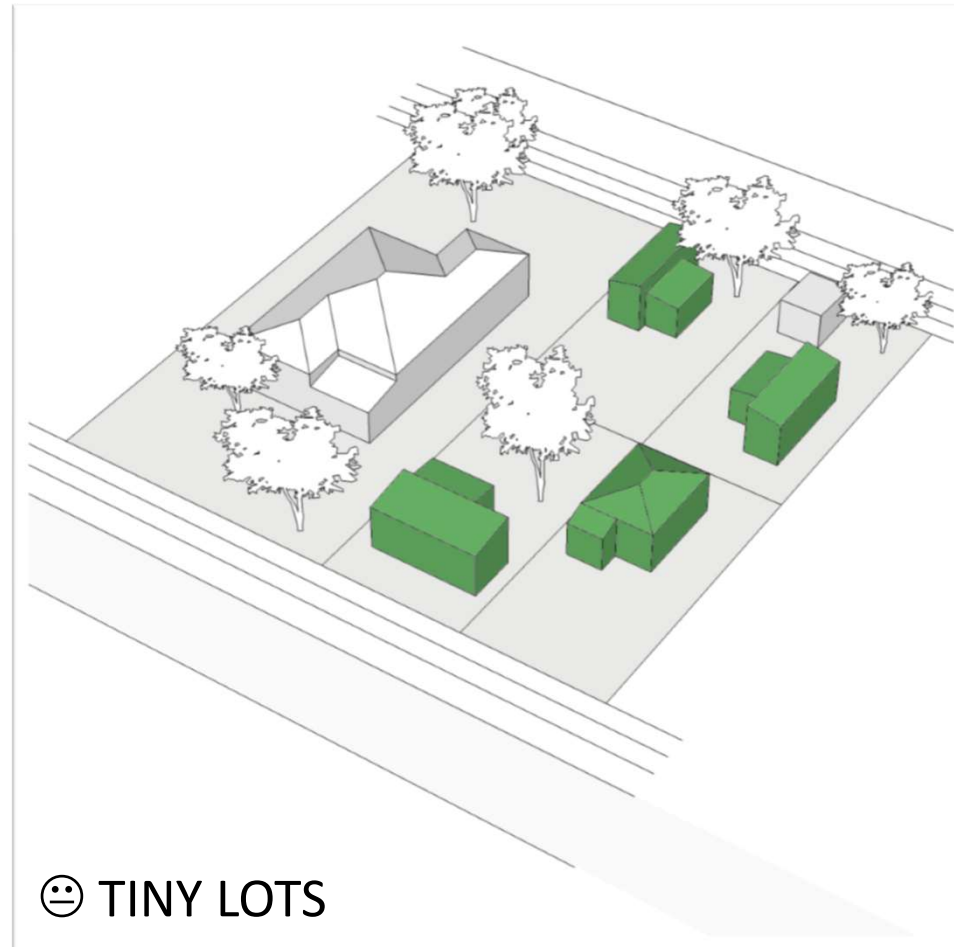
Moveable dwellings

# FIXED TINY HOUSES



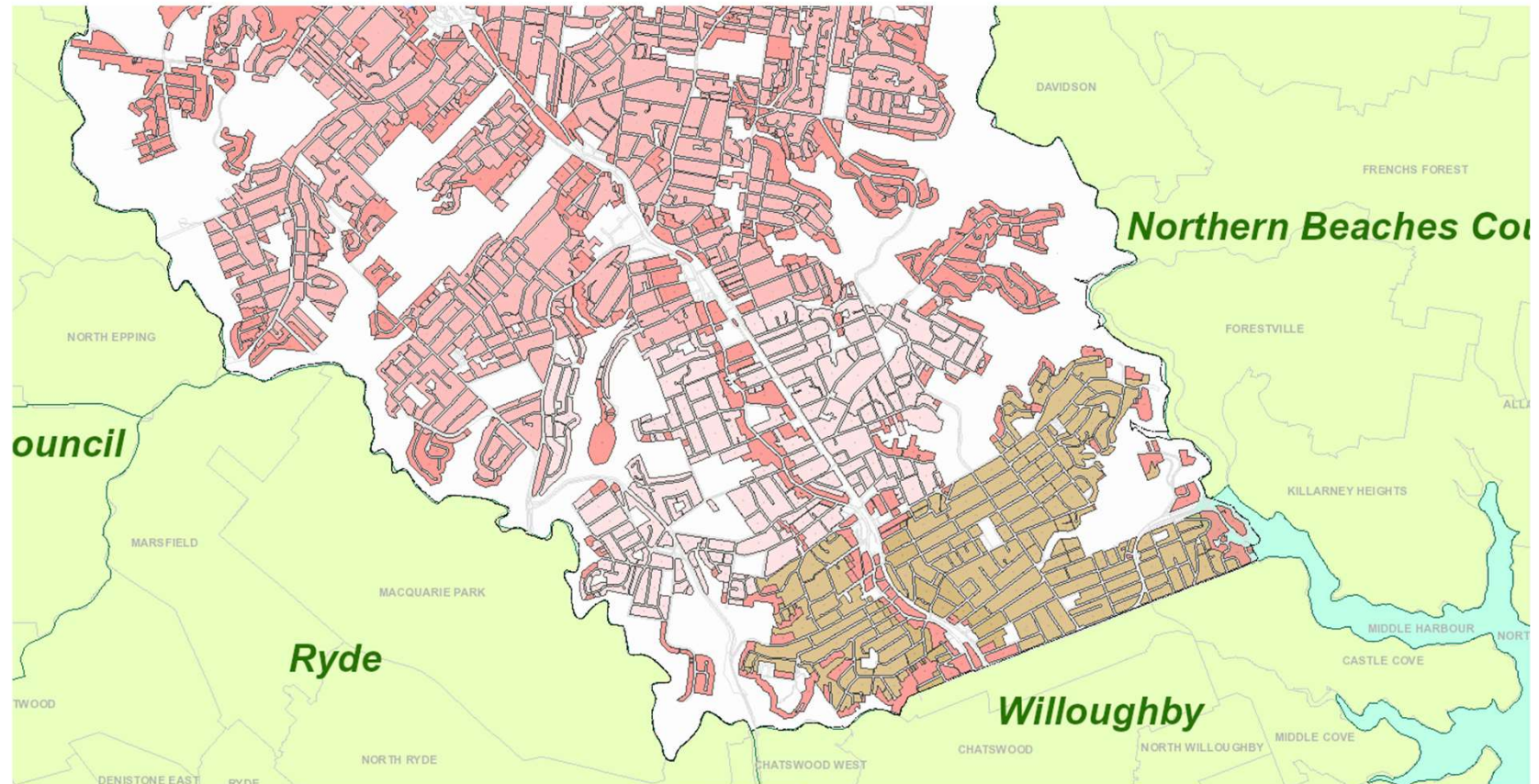


# FIXED TINY HOUSES



# KU-RING-GAI COUNCIL LEP 2015

## MINIMUM LOT SIZE (SQM)



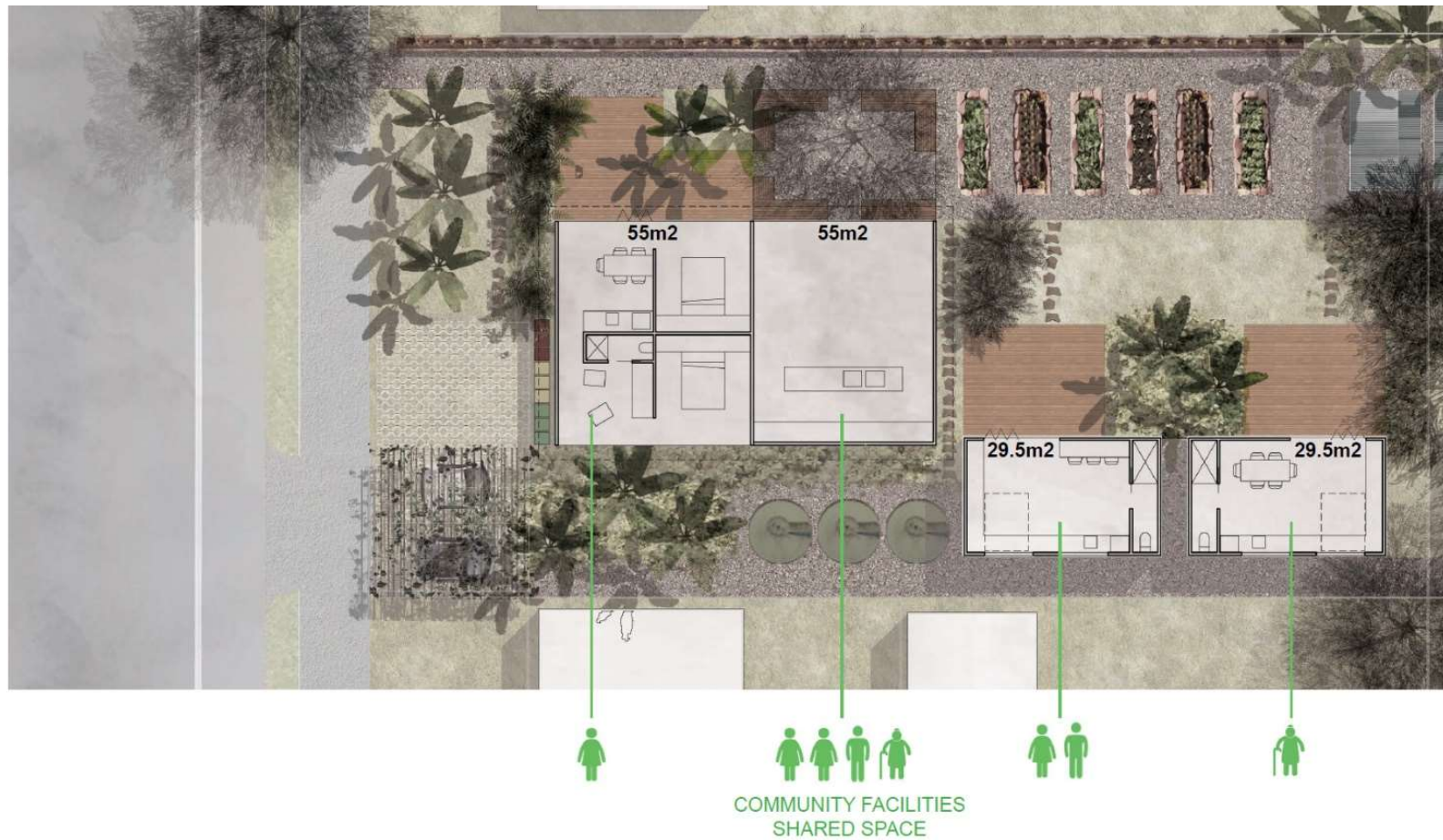
# FIXED TINY HOUSES



😊 TINY VILLAGE



# COST ESTIMATES (BRISBANE CITY COUNCIL)



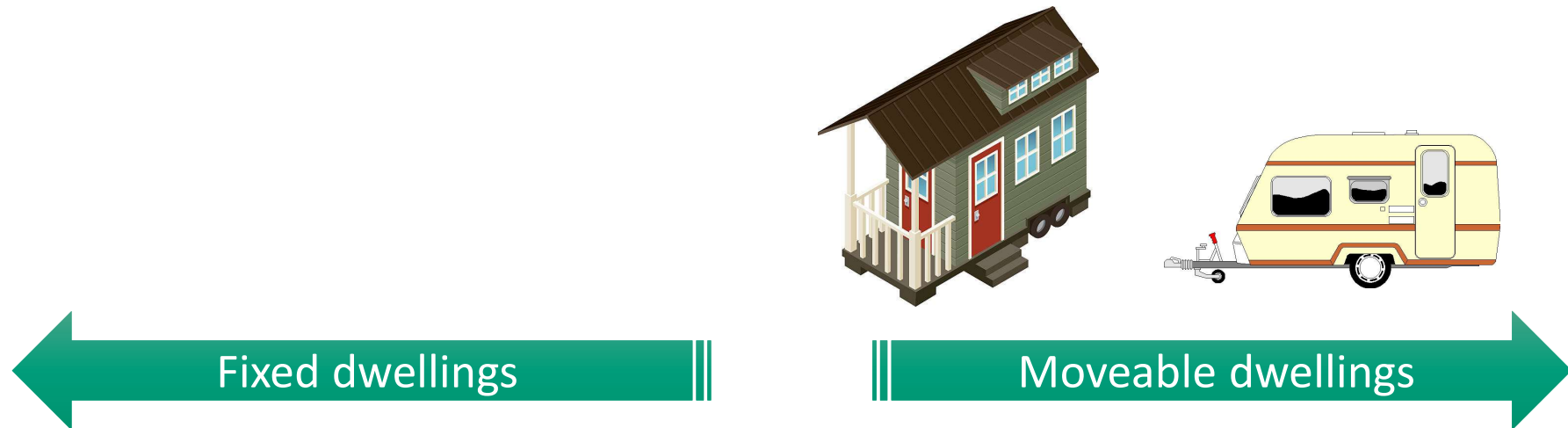


# COST ESTIMATES (BRISBANE CITY COUNCIL)

COSTS PRIOR TO CONSTRUCTION	
Land purchase	500,000
Architectural & engineering drawings and reports	10,000
DA application (incl town planning services)	12,560
Building application (incl building certifier fees)	7,000
Plumbing and drainage application/connection fees	255
Body Corporate / Community Land Trust	3,000
Infrastructure charges	40,445
<b>TOTAL</b>	<b>574,260</b>

COSTS FOR CONSTRUCTION	
Renovations to existing dwelling	200,000
Tiny House construction/purchase @ \$80,000 ea x 2	160,000
Site preparation and landscaping	15,000
Water, electricity meter connections	15,000
Title registrations (solicitor & surveyor)	2,000
<b>TOTAL</b>	<b>392,000</b>

# OUR CHALLENGE



# DEFINITION AND REGULATION



Local Government Act 1993 No 30

## **A MOVEABLE DWELLING IS –**

- ANY TENT, OR ANY CARAVAN OR OTHER VAN OR OTHER PORTABLE DEVICE (WHETHER ON WHEELS OR NOT), USED FOR HUMAN HABITATION, OR
- A MANUFACTURED HOME, OR
- ANY CONVEYANCE, STRUCTURE OR THING OF A CLASS OR DESCRIPTION PRESCRIBED BY THE REGULATIONS FOR THE PURPOSES OF THIS DEFINITION.



Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

## **REGULATES THE INSTALLATION OF A MOVEABLE DWELLING ON LAND OUTSIDE OF CARAVAN PARKS**

# EXEMPTIONS (NO COUNCIL APPROVAL REQUIRED)

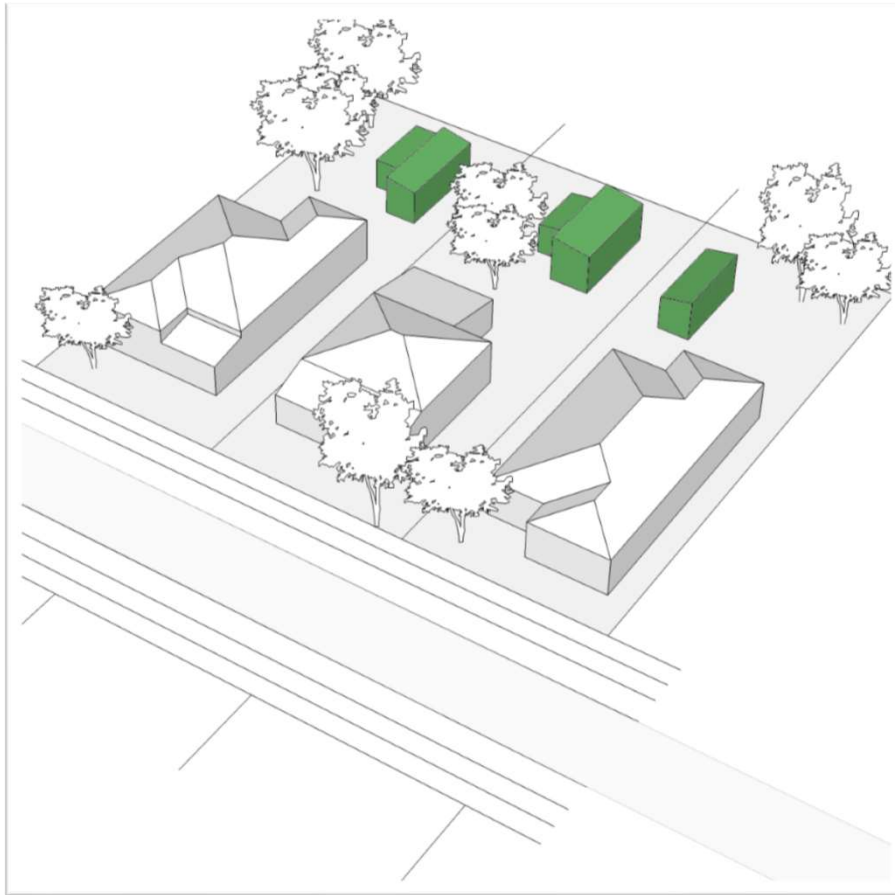


## **Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005**

- FOR TOURISM PURPOSES: UP TO 2 CARAVANS, CAMPERVANS OR TENTS ON ANY LAND, WITH STRICT TIME CONSTRAINTS
- AS A GRANNY FLAT: NO MORE THAN 1 CARAVAN OR CAMPERVAN FOR HABITATION ONLY BY FAMILY MEMBERS AND IS MAINTAINED IN A SAFE AND HEALTHY CONDITION
- CARETAKER/WORKERS' ACCOMMODATION: A CARAVAN OR CAMPERVAN ON PASTORAL OR AGRICULTURAL LAND, OCCUPIED SEASONALLY BY PERSONS EMPLOYED IN OPERATIONS ON THE LAND
- BUSHFIRE RESPITE: ANY MOVEABLE DWELLING AND ASSOCIATED STRUCTURE ON LAND, IS MAINTAINED IN A HEALTHY AND SAFE CONDITION AND REMOVED WITHIN 2 YEARS AFTER IT IS INSTALLED.

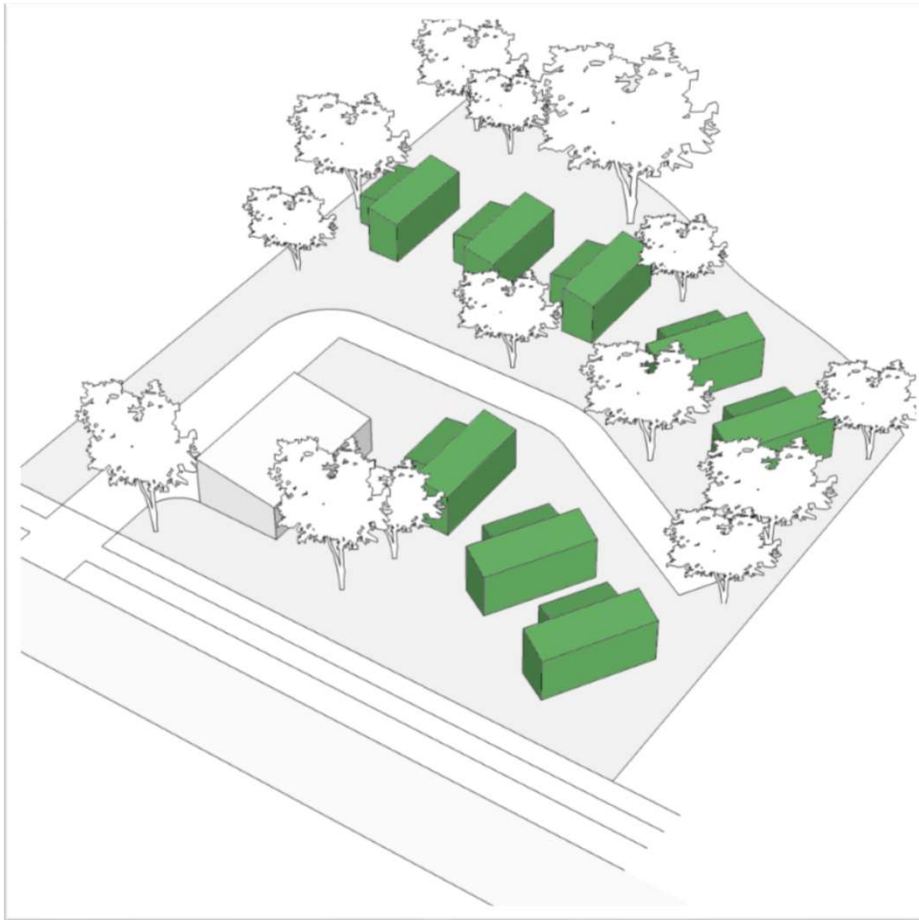


# BACKYARD LEASE



- ☹️ LEGAL IF SHORT TERM –  
'CAMPING' OR  
'TEMPORARY LIVING'  
WHILE BUILDING A HOME
- ☹️ STRICT TIME LIMITATIONS
- ☹️ COUNCILS MAY STILL SEEK  
PLANNING AND/OR  
BUILDING PERMITS

# TINY HOUSE PARK



- ☹️ LEGAL IN CARAVAN PARKS /  
MANUFACTURED HOME  
ESTATES
- ☹️ LIMITED ZONING

## OUR CHALLENGE:

HOW CAN TINY HOUSES BECOME A SUPPORTED FORM OF HOUSING?



# RECOGNISED IN LEGISLATION

## DEFINITIONS

- TINY HOUSE / THOW
- MOVEABLE DWELLING DEFINITION TO SPECIFICALLY INCLUDE THOW

## PLANNING SCHEMES

- NEW DWELLING CATEGORY AND ASSESSMENT CODES FOR TINY HOUSE DEVELOPMENTS





# RECOGNISED IN LEGISLATION

## BCA / NCC

- CONSTRUCTION REQUIREMENTS CAN BE MET
- ALLOWANCES FOR THE DESIGN OF VERY SMALL DWELLINGS – RELAXATION OF RULES AROUND LOFTS (MIN. CEILING HEIGHT & STAIRS)
- PRECEDENT IN USA: APPENDIX Q OF INTERNATIONAL RESIDENTIAL CODE (tiny homes on foundations)

*About this appendix: Appendix Q relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.*



# FIT FOR PURPOSE REGULATIONS

## **REVIEW RATES & INFRASTRUCTURE CHARGES**

## **LOCAL POLICIES/LAWS TO FACILITATE MORE OPTIONS FOR 'LIVING IN A THOW'**

- RELAX TIME LIMIT/OCCUPANCY CONSTRAINTS
- SPECIFIC PROVISIONS FOR SITING, HEALTH, SAFETY & AMENITY
- PERMIT PROCESS



IN THE MEANTIME...

## **TINY HOUSES**

- NEED TO MEET RELEVANT DEVELOPMENT CONTROLS UNDER EXISTING PLANNING FRAMEWORK

## **THOW**

- CHECK IF YOU COMPLY WITH ANY EXEMPTIONS?
- IF NOT, NEED TO MEET RELEVANT DEVELOPMENT CONTROLS UNDER EXISTING PLANNING FRAMEWORK



# HOW TO ASSIST COUNCIL TO APPROVE YOUR PROJECT?

- QUALITY BUILD – DESIGN, MATERIALS AND DURABLE CONSTRUCTION
- ELECTRICAL AND PLUMBING WORKS CERTIFIED BY QUALIFIED TRADE
- INSTALL TIE DOWNS TO SECURE THOW
- DWELLING SECURELY ATTACHED TO THE TRAILER
- REGISTERED BUILDER OR OWNER BUILDER PERMIT

BUT NOT THE  
WHOLE  
PICTURE!

- TRAILER BUILT TO VEHICLE STANDARD REGULATIONS TO ACHIEVE REGISTRATION
- SITING CONSTRAINTS
  - AVAILABLE SERVICES – ELECTRICITY, WATER, WASTE
  - EFFLUENT DISPOSAL
  - NOISE
  - PRIVACY AND AMENITY
  - ACCESS AND CARPARKING
  - FIRE SAFETY – SEPARATION TO OTHER BUILDINGS
  - FLOOD/BUSHFIRE ZONES

# SUMMARY OF SEQ\* COUNCIL DISCUSSIONS

- ALL COUNCILS UNDERSTAND FIXED TINY HOUSES
  - OCCUPANCY RESTRICTIONS APPLY TO GRANNY FLATS IN QLD
- ALL COUNCILS ARE APPREHENSIVE ABOUT THOWs
  - SAFETY
  - AMENITY
  - PERMANENCE/TRANSIENCE
  - UNINTENDED NEGATIVE DEVELOPMENT OUTCOMES
  - UNCERTAINTIES AROUND REGULATION – I.E. HOW TO ASSESS?
  - NEGATIVE COMMUNITY PERCEPTION



\*SEQ - South East Queensland



# SUMMARY OF SEQ\* COUNCIL DISCUSSIONS

- RURAL COUNCILS TYPICALLY MORE CONSERVATIVE THAN URBAN COUNCILS
- THE CONCEPT OF AN OVER 55'S WOMEN'S TINY HOUSE VILLAGE IS WELL RECEIVED IN MOST COUNCILS
- INTERESTED TO SEE A DEMONSTRATION PROJECT, BUT WOULD PREFER NOT TO BE THE FIRST CAB OFF THE RANK



\*SEQ - South East Queensland

# SUMMARY OF SEQ\* COUNCIL DISCUSSIONS

- ADOPTING MECHANISMS TO CAPTURE FINANCIAL BENEFIT (I.E. RATES/INFRASTRUCTURE CHARGES)
- REFORM AGENDAS ARE HIGHLY POLITICAL
- INTERESTED IN STAYING INFORMED OF TINY HOUSE UPDATES/EVENTS



\*SEQ - South East Queensland



# WATCH THIS SPACE

- OUTCOMES FROM SPECIAL PROJECTS WILL BE WATCHED BY COUNCILS INTERESTED IN TINY HOUSES
- TINY HOUSE MEDIA PROFILE IS HIGH
- PROFESSIONAL ORGANISATIONS (ARCHITECTS, URBAN DESIGNERS, PLANNERS) ARE SHOWING INTEREST
  - E.G. SPECIAL EDITION OF AUSTRALIAN PLANNER ON TINY HOUSES (SEPT-DEC 2019)
  - PROFESSIONAL AND INDUSTRY AWARDS FOR COMPACT HOUSING INNOVATIONS

# CHANGE TAKES TIME...AND...PERSISTENCE

- BE AN ADVOCATE
- SUPPORT ADVOCACY GROUPS (i.e. ATHA)
- SHARE TINY HOUSE PLANNING RESOURCES (far and wide)
- TALK TO YOUR COUNCIL AND KEEP TALKING...
- DREAM, COLLABORATE, ACT
- OPEN AND TRANSPARENT VS FLYING UNDER THE RADAR

