

TINY HOUSE FACTSHEET

What
is a



Tiny Houses come in different forms including (but not limited to):

- A small dwelling house fixed to the land as either a primary or secondary home;
- A small dwelling house fixed to a trailer with the capability of being registered under the Road Transport Act (considered a caravan).

In each case, developing land with a Tiny House is subject to different Local and State planning controls depending on the type of Tiny House and the zoning of the land. There is no land use definition of a Tiny House in the Tenterfield Local Environmental Plan (LEP) 2013.

Do I need development approval for my tiny house?



Fixed Tiny House

Yes.

Council requires a Development Application (DA) or Complying Development Certificate (CDC) which will be assessed against the relevant planning provisions in the Tenterfield LEP 2013, Development Control Plan 2014 or State Environmental Planning Policy (SEPP).

These planning controls relate to zoning of the land, site and building design requirements, road access and connections to power, water and sewer. Within the RU5 Village Zone under Tenterfield LEP 2013 a minimum floor area of 60sq meters for a principal dwelling is required.



Tiny House on Wheels (Caravan)

No. (subject to exemptions)

If the tiny house is registered with Service NSW as a trailer, no development approval is required to park it on your property subject to certain exemptions in the Local Government (*Manufactured Home Estates, Caravan Parks, Camping Grounds, Dwellings Regulations 2021.*

The exemptions allow you to:

- Install no more than 2 caravans, campervans or tents if someone stays short term for no longer than 2 days at a time and no longer than 60 days in a single period of 12 months;
- Install not more than one caravan or campervan on land occupied by the owner of the caravan or campervan and, where there is an existing dwelling on the land. It must only be used for the habitation of the owner or by members of the owner's household and maintained in a safe and healthy condition;
- Install a caravan or campervan on agricultural land if it is only occupied seasonally by people employed as part of the commercially viable agricultural operation of the site.

If you don't meet any of the above exemptions, and you plan to live in your Tiny House on Wheels long term, Council requires a DA.

Do you need further information?

If you have any further questions about Tiny Houses and DA requirements, please speak to Council's Planning & Development Services Department on 02 6736 6002.

Definitions

Caravan	means a moveable dwelling that is designed so as to be capable of being registered (within the meaning of the Road Transport Act 2013) as a trailer, but does not include a camper trailer.
Campervan	means a moveable dwelling (other than a caravan) that is designed so as to be capable of being registered (within the meaning of the Road Transport Act 2013) as a motor vehicle, and includes a camper trailer.
Moveable Dwelling	means (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or (b) a manufactured home, or (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.

Small housing or tiny dwellings can be designed and built using green principles and provide affordable housing whilst minimizing the urban footprint

Tiny homes are emerging in varying forms and locations, such as granny flats (or secondary dwelling) to complement existing housing, groupings of dwellings in established urban areas on larger, isolated properties, and in mobile caravan formats.

In each case you need to be mindful of the approvals and design requirements of existing State Government and local Council planning controls. **Please note: Many manufactured or prefabricated buildings do not meet the minimum standards for a Class 1a Dwelling under the National Construction Code. Eg: Ceiling Heights.**



I would like to build a tiny home, what do I do?

Speak to a Tenterfield Shire Council Planning Officer by calling Council on (02) 6736 6002 to check the Zoning of the land and the permissibility of the proposed dwelling.

What approvals do I need?

Council & State Government Planning Guidelines.

Council Development Control Plan (DCP) & Local Environmental Plan (LEP):

Tenterfield Shire Council's primary planning documents for new dwelling developments are the Development Control Plan (DCP) and Local Environmental Plan. Whilst these controls have been formulated for conventional forms of housing, many of the zoning, site and design requirements are still relevant to most forms of compact and tiny homes.

Secondary Dwellings:

Council's **secondary dwelling type** (similar to a granny flat) is a popular way to establish a smaller dwelling to complement an existing home. Council requires a development application and other related applications (construction certificate, driveway, water and sewer connection) to assess and certify these proposals

Tiny Homes:

For people considering **tiny homes** in other locations, such as rural and other non-urban locations, there are great opportunities for more creative designs, although like other more conventional housing, you will need to address the site constraint issues that typically affect rural and regional areas, such as bushfire, flooding, land contamination, sloping sites, drainage, stormwater disposal and any significant vegetation.

Mobile Tiny Homes:

Mobile tiny homes present different opportunities and challenges in terms of State and Council planning regulations. Generally you will not require the extent of technical assessments and approvals for mobile structures. The big challenge is finding an appropriate site to locate them. Mobile caravans are allowed under certain restrictions in conjunction with existing family homes, but if the owners are not related to the family household, they are better suited to existing Caravan Parks.