

Tiny Homes on Wheels

Tiny homes, while gaining attention, often face challenges in complying with local planning and building regulations across Western Australia. The National Construction Code has requirements governing the development of such homes, particularly regarding permanent versus non-permanent use and the necessary infrastructure standards. These regulations ensure that any tiny home proposal adheres to existing planning schemes and building codes, especially in relation to sanitation, bushfire safety, and connection to essential services.

Types of Tiny Homes

There are two primary types of *tiny homes*:

1. ***Tiny Home on Wheels***
2. ***Tiny Home Not on Wheels***

Tiny Home on Wheels: This type is regulated under the *Caravan Park and Camping Grounds Act 1995*. According to the Act, A tiny home is categorised as a caravan if it has wheels and is capable of being towed a *tiny home on wheels* is categorized either as a *caravan* or *park home*. This type of *tiny home* is only permissible on private land where approval has been sought by the local government for a period of up to 2 years.

Tiny Home Not on Wheels (Ancillary Dwelling): Unlike those on wheels, a *tiny home not on wheels* can be built on private land as there are maximum floor area (100m²) requirements under the Shire's Local Planning Scheme No.3 and must comply with the *National Construction Code (NCC)*.

Planning and Building Requirements

For a *tiny home not on wheels (Ancillary Dwelling)* is to be considered, it must comply with relevant planning and building legislation. This includes (but not limited to):

- Complying with the Shire's Local Planning Scheme No.3 and associated Local Planning Policies where the provisions relating to a *Single House – Where no other dwelling exists on the property* or an *Ancillary Dwelling* where another dwelling exists on the property.
- Submitting a *Bushfire Attack Level (BAL) report* and *Bushfire Management Statement (BMS)* if located in a bushfire-prone area.
- Complying with the Shire's *Health Local Laws* and the NCC. Key requirements include:
 - The inclusion of a kitchen, bathroom, and laundry.
 - Minimum ceiling heights of 2.4m for living spaces and 2.1m for non-living spaces.
 - Structural certification from a professional structural engineer.
 - Connection to sewer, potable water, electricity (including hot water), and compliance with energy efficiency and sanitation standards.
- Only a single "Tiny Home not on Wheels" can be approved per lot.

Sanitation standards for bathrooms, kitchens, and laundries must meet specific criteria, such as impervious lining, adequate ventilation, and provision of hot and cold water. A private *Building Surveyor* is recommended to certify the application for a building permit.

Supporting Tiny Homes

The Shire has discretion to assess *tiny homes* on their merits, provided they meet planning and building regulations. By considering each application against relevant legislation, the Shire seeks to ensuring compliance with existing standards.

Any Tiny Home on Wheels proposed for use on private land for more than 5 days in any 28 day period will require development approval under the Shire's Local Planning Scheme No.3 as a temporary land use.

Alternatively, the Shire's Local Planning Policy 4.5 – Short Term and Temporary Accommodation may support a Tiny Home on Wheels where an applicant is awaiting construction of a single house on a lot.

Under the current [Caravan Parks and Camping Grounds Amendment Regulations 2024](#), Local governments are capable to approve the use of a Tiny Home on wheels for consecutive period of 24 months.

Any approval granted would be subject to the following conditions —

- (a) that any caravan or camp in which the person is camping on the land is maintained in such a condition that it is not a hazard to safety or health;
- (b) that the land is maintained in such a condition that it is suitable for camping, particularly in relation to —
 - i. safety and health; and
 - ii. access to services;
- (c) any other conditions specified by the local government in the approval.

For more information or to discuss your *tiny home* project, please contact the Shire at Info@sjshire.wa.gov.au or calling (08) 9526 1111.