



Tiny Home & Caravan Guide/Facts Sheet

Tiny Houses have become popular alternative way to provide affordable accommodation. They also have a much smaller carbon footprint, allowing a sustainable and a more minimalist lifestyle.

With many styles and types available, owners need to consider both local and state planning legislation when considering this form of living.

Outlined below is some general information to help guide you through the various requirements and approvals that apply.

DEFINITIONS	
Campervan	means a moveable dwelling, other than a caravan, designed to be capable of being registered as a motor vehicle, and includes a camper trailer.
Caravan	means a moveable dwelling designed to be capable of being registered as a trailer, but does not include a camper trailer.
Manufactured home	means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling— a) that comprises one or more major sections, and b) that is not a motor vehicle, trailer or other registrable vehicle within the meaning of the Road Transport Act 2013, and includes any associated structures that form part of the dwelling.
Movable 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 for the purposes of this definition.
Relocatable home	means a manufactured home or other moveable dwelling, other than a tent, caravan, campervan or vehicle capable of being registered a) whether or not self-contained, and b) that consists of at least 1 major section, including an associated structure forming part of the dwelling.
Self-contained movable dwelling	means a moveable dwelling that contains shower and toilet facilities.

WHAT IS A TINY HOUSE?

A Tiny House is:

- A **Tiny House on Wheels** (THOW) is a small dwelling house fixed to a trailer (like a caravan). As the tiny house is built on a trailer, designed to legal road dimensions within the restrictions required for road transport and is capable of being registered under the Road Transport Act, or
- A **Tiny House** is a small dwelling house up to 60m² fixed and supported by piers and footings to the ground on your property. They are classified as a Class 1a dwelling that can be assessed for approval under the National Construction Code.

You will need to consider local and State planning legislation if you choose to live in this type of dwelling (house).

The approval requirements depend on the type of tiny house you consider and the land where it is situated.

What Legislation applies?

Tiny house installation and use is subject to the approval and design requirements of the NSW Government and Council's planning controls.

Council's planning documents that apply are:

- Lockhart Local Environmental Plan (LEP) 2012
- Relevant Development Control Plan (DCP).

You will also need to consider NSW Government legislation:

- State Environmental Planning Policy (Housing) 2021 (for secondary dwellings)
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- Local Government Act 1993 – Section 68
- Environmental Planning and Assessment Act 1979



WHAT EXEMPTIONS EXIST?

You do not need development approval to keep your tiny house in your backyard or on your property, if you can register it with Transport for NSW as a trailer, and you meet certain exemptions.

You do not need to get approval for your THOW in certain situations – Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

- Have not more than 2 THOWs or caravans or tents if they are not occupied for more than 2 consecutive days and no more than 60 days in a 12-month period.
- 1 caravan or THOW on land occupied by the owner of the caravan in connection with the owner's dwelling house if the caravan or THOW is lived in by you or a member of your household. 1 caravan or THOW only when you have an approved dwelling house on the allotment. The caravan or THOW is maintained in a safe and healthy condition.
- Caravan or THOW on pastoral or agricultural land, provided it is merely occupied seasonally by people employed in pastoral or agricultural operations on the land.
- Moveable dwelling (includes a caravan or THOW) or associated structure on land to accommodate a person who has been displaced as a result of a natural disaster if the moveable dwelling or associated structure is-
 - maintained in a safe and healthy condition, and
 - removed within 2 years after it is installed, or a longer period specified a relevant local approvals policy for the moveable dwelling or associated structure.
- Farm stay accommodation permitted in RU1, RU2, RU4 zones and in other zones where agriculture, extensive agriculture, intensive livestock agriculture and intensive plant agriculture are permitted with a minimum landholding of 15ha and off-street parking. A maximum of 6 caravans/THOWs and campervans with a maximum of 20 guests for up to 21 consecutive days of stay.

If not exempt as outlined, a THOW would need development approval, meet the relevant development controls, and address any applicable constraints such bushfire, flooding, land use conflicts and the like.

NOTE: The information in this clause changes often and Council recommends that you review it to keep updated on current standards.

What else do you need to consider?

You will need to consider if approval is needed and what type for the following:

- Wastewater disposal.
- Drinking and washing water collection and storage.
- Electricity options.
- Is the proposed site for the tiny house affected by bushfire and what provisions apply.
- Are there flooding issues.
- Adjoining neighbours and minimum boundary setbacks.
- Site access.

CONTACT US

For further information please contact Council's Planning & Building Services team:

Email: development@lockhart.nsw.gov.au

Phone: 02 6920 5305

Mail: PO Box 21, Lockhart NSW 2656

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FREQUENTLY ASKED QUESTIONS	
Tiny House On Wheels (THOW)	Tiny House Permanent (THP)
Do I need development approval for my tiny house?	
No	Yes
If the THOW is capable of being registered with Transport for NSW as a trailer, no development approval is required to put it in your backyard or on your property (subject to meeting a number of certain exemptions).	Council requires a Development Application (or Complying Development Certificate, which can potentially be approved by a Private Certifier) to assess and determine proposals for a permanently constructed/installed tiny house.
Do I have to pay a development contribution?	
No	Yes
	As a second dwelling, contributions are payable for connection to town water and sewerage services. Check with Council for further information
Can I live in my tiny house, as a primary dwelling, on my vacant property?	
Potentially	Potentially
Current legislation does not allow for a tiny house as a primary dwelling as outlined in this fact sheet. For a tiny house to be considered a primary dwelling, you will need to obtain development consent and show compliance with Building Code of Australia and Local Government Regulation building standard requirements. It is best to consult with Council if this is your intention.	Planning controls have been prepared for standard forms of housing; many of the zoning, site, and design requirements are still relevant to most forms of compact and tiny houses. To be considered a primary dwelling, you will need to obtain development consent and show compliance with Building Code of Australia and have minimum amenities provided. It is best to consult with Council if this is your intention.
Can I, or a member of my household, live in my tiny house on my property, which has an approved, existing dwelling?	
Yes	Yes
You can have only 1 THOW if you or a member of your household will live in it, only when you have an approved existing dwelling already on the lot. You must maintain your tiny house in a safe and healthy condition for human habitation.	
Can I have more than one tiny house on my property?	
Potentially	Potentially
NSW Legislation permits some exemptions. See exemptions section. Contact Council for specific advice relative to your property.	You cannot have more than one fixed tiny house on your property <i>under secondary dwelling land-use provisions</i> . There may be an opportunity to erect additional tiny houses under multi-dwelling provisions. Contact Council for specific advice relative to your property.

Tiny House On Wheels (THOW)	Tiny House Permanent (THP)
Can I holiday let or rent out my tiny house?	
<p>Potentially</p> <p>The installation is for occupation by the owner or by members of the owner’s household only.</p> <p>If you want to provide some tourist accommodation on farms larger than 15 hectares, you can have up to 6 caravans/THOWs (see the exemptions section for more information).</p> <p>Other holiday letting requires development consent from Council.</p>	<p>Potentially</p> <p>The secondary dwelling can be rented out as a form of affordable rental housing.</p> <p>Holiday letting requires development consent from Council.</p>
Can I connect my tiny house to town sewer?	
<p>Yes</p> <p>You will require approval from Council to connect to the town water supply and sewerage system.</p> <p>If a town sewer connection is not available, you will require approval from Council for an on-site sewerage management system.</p>	<p>Yes</p> <p>You will require approval from Council to connect to the town sewerage system.</p> <p>If a town sewer connection is not available, you will require approval from Council for an on-site sewerage management system.</p>
How can I provide electricity to my tiny house?	
<p>Connect to your property power supply or separate connection to the electricity network.</p> <p>If your THOW is close to a main dwelling, you can power it by running an RCD protected, caravan-rated, extension cord from the dwelling.</p> <p>The use of solar power may suit you better. This can be portable such as a solar trailer or fixed to the structure.</p> <p>It is important to note that any electrical installation needs certification from a Licensed Electrical Contractor.</p>	<p>Connect to your property power supply or separate connection to the electricity network.</p> <p>It is important to note that any electrical installation needs certification from a Licensed Electrical Contractor.</p>
Can I connect my tiny house to town water?	
<p>Yes</p> <p>You will require approval from Riverina Water to connect to the town water supply.</p> <p>An approval for a temporary connection from your main dwelling water supply is not required.</p> <p>If town water supply is not available you will need a water collection and storage system such as a Rainwater storage tank.</p>	<p>Yes</p> <p>You will require approval from Riverina Water to connect to the town water supply.</p> <p>Contributions may apply particularly if a second water meter is required.</p>

Contacts

Council’s planning team email: development@lockhart.nsw.gov.au

Riverina Water: <https://rwcc.nsw.gov.au/>

Planning Portal: <https://www.planningportal.nsw.gov.au/>