

# Temporary Occupation of Land

## 1. Objectives

The objectives of these controls are to:

- provide owner-builders an opportunity to live on-site during the construction of a dwelling house
- ensure an acceptable standard of accommodation is provided with adequate laundry and sanitary facilities
- ensure that temporary occupation is of a limited duration
- ensure temporary occupation structures are environmentally, socially and economically appropriate to the surrounding area.

## 2. Temporary occupation of land

Council recognises that during construction of a dwelling house that the owners of the land may require temporary occupation. Council seeks to ensure that if temporary occupation is required it is provided to facilitate the completion of the house and to ensure public health standards are maintained during occupation.

## 3. Restrictions on temporary occupation of land

The following restrictions apply to the temporary occupation of land during construction of a dwelling house -

- Temporary Occupation is only permitted on land where a dwelling house or other residential development is permitted under the *Temora Local Environmental Plan 2010*
- A current development consent and construction certificate have been issued by Council or a PCA
- Temporary occupation is limited to a period of 12 months only
- Connection to the sewer is approved by Council or a current licence to operate a Sewage Management Facility has been issued

## 4. Application for temporary occupation

If temporary occupation is proposed the following information is to be submitted to Council with the application for a Construction Certificate -

- the development consent number and date of approval
- details of the proposed temporary dwelling to be occupied
- details of the number of persons to be accommodated
- details of the proposed arrangements for temporary laundry and sanitary facilities
- a schedule of construction for the proposed dwelling house

## **5. Limitations to temporary occupation**

Where temporary occupation is approved by Council an inspection will be carried out at the end of the temporary occupancy period to ensure that no further occupation is carried out. Council also has the ability to levy a bond to ensure that the temporary occupation structure is rendered uninhabitable at the end of the permitted time period. Any structure that is to be used for temporary occupation must be designed and constructed to comply with the relevant provisions of the Building Code of Australia in terms of domestic use (i.e. Class 1a dwelling).

## **6. Moveable dwellings**

Council may permit the location and occupation of moveable dwellings (i.e. caravans) on sites as temporary occupation. Approval is required under the *Local Government Act 1993* for a moveable dwelling.

## **7. Relevant Section C - Development Controls**

The following other parts of *Section C – Development Controls* relevant to Temporary Occupation of Land include:

- *Bushfire Protection*
- *Contaminated Land*
- *Development Applications*
- *Engineering Standards*
- *Erosion and Sediment Control*
- *Flood Prone Land*
- *Landscaping*
- *Notification of Development Applications*
- *Rural Development*
- *Sewage Management*