



**Temporary Homes
Subordinate Local Law 2023**

Moreton Bay City Council

Temporary Homes Subordinate Local Law 2023

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Part 1 Preliminary

1 Short title

This Subordinate Local Law may be cited as the *Temporary Homes Subordinate Local Law 2023*.

2 Object

The object of this Subordinate Local Law is to supplement the *Temporary Homes Local Law 2023 (Authorising Local Law)* which regulates the non-commercial occupation of temporary homes on private land.

3 How object of Subordinate Local Law is to be achieved

The object of this Subordinate Local Law is to be achieved by prescribing minimum requirements for self-assessable temporary homes.

4 Authorising Local Law

This Subordinate Local Law is made pursuant to the Authorising Local Law.

5 Definitions

- (1) The dictionary in Schedule 2 defines particular words used in this Subordinate Local Law.
- (2) Where a word in this Subordinate Local Law is not defined in Schedule 2, it has the meaning as provided for in the Authorising Local Law.

Part 2 Minimum requirements for self-assessable temporary homes

6 Minimum requirements - Authorising Local Law, s 8

For section 8 of the Authorising Local Law, the minimum requirements for self-assessable temporary homes of a type specified in Schedule 1, table 1, column 1 are prescribed in Schedule 1, table 1, column 2.

Schedule 1 Minimum requirements for self-assessable temporary homes

Section 6

Table 1 Minimum requirements for self-assessable temporary homes

Column 1 Type of temporary home	Column 2 Minimum requirements
<i>Vehicle</i>	<p>Occupancy</p> <p>(a) Occupancy is limited to the number of persons the temporary home is designed to accommodate; and</p> <p>(b) No fee or charge is paid for the occupation of the temporary home; and</p> <p>The allotment</p> <p>(c) Only 1 temporary home is to be occupied on the allotment at any given time; and</p> <p>(d) A permanent dwelling is situated on the allotment and permanently occupied at all times whilst the temporary home is being used as a place of residence; and</p> <p>(e) The allotment contains only a single detached dwelling and no secondary dwellings; and</p> <p>Timeframe for occupation</p> <p>(f) The occupation of any temporary home on the allotment is not undertaken, cumulatively, for more than 42-days in a 12-month period; and</p> <p><i>Examples for paragraph (f)—</i></p> <ul style="list-style-type: none"> • <i>A person may occupy a temporary home for 42 consecutive days on an allotment.</i> • <i>An owner of an allotment could allow one family to occupy a temporary home on the property for 2 weeks in March, a person to occupy for 2 weeks in August, and two friends to occupy for 2 weeks in the following February. The owner cannot allow the different groups of people to occupy for 42 days each in a 12-month period.</i> <p>Consent</p> <p>(g) Occupation of the temporary home is undertaken with the consent of the owner of the allotment; and</p> <p>Setbacks</p> <p>(h) The temporary home is sited in accordance with the following setbacks from the front, rear and side boundaries of the allotment, measured from the outermost projection of the temporary home—</p>

	<p>(i) on a residential allotment—1.5m; or (ii) on a rural allotment or rural residential allotment—the greater of 4.5m or the distance required to ensure the temporary home is fully contained within the development footprint; and</p> <p>(i) The temporary home is set back at least 1.8m from the permanent dwelling on the allotment, measured from the outermost projection of the temporary home to the external wall or veranda posts of the permanent dwelling; and</p> <p>Facilities and waste</p> <p>(j) The permanent dwelling, or a domestic outbuilding of the permanent dwelling, has sanitary and laundry facilities that each occupant of the temporary home can access and use; and</p> <p>(k) If the temporary home is fitted with sanitary or laundry facilities—all waste from the sanitary and laundry facilities is contained within the temporary home, regularly collected and disposed of in accordance with any applicable laws; and</p> <p>(l) Any waste material, including greywater, solid sewage, mass, compost or cassette waste from portable toilets or the like, generated from occupation of the temporary home is stored, collected and disposed of in accordance with applicable laws; and</p> <p>(m) The permanent dwelling is provided with an adequate means of waste disposal and sanitation to ensure that reasonable standards of health and hygiene can be maintained for the duration that the temporary home is occupied on the allotment; and</p> <p>(n) An adequate source of potable water is available at the permanent dwelling to each occupant of the temporary home; and</p> <p>Notification to the local government</p> <p>(o) The owner or occupier of the allotment must give written notice of the commencement of occupation of the temporary home to the local government and the written notice must—</p> <p>(i) be given within 7 days after the occupation of the temporary home commences; and</p> <p>(ii) be in the form prescribed by the local government; and</p> <p>(iii) certify that the occupation of the temporary home complies with the requirements of this Local Law.</p>
<p>Tent</p>	<p>(a) Occupation is for a continuous period of not more than 96 hours; and</p>

(b) Occupation is undertaken by—

- (i) an individual or members of the same family at the invitation of the resident of the permanent dwelling on the allotment; or
- (ii) Scouts Australia, Guides Australia, Army Cadets, Navy Cadets, Air Force Cadets, Boys and Girls Brigade, sporting clubs or schools.

Note—

To comply with these minimum requirements, a person is required to comply with paragraph (a), and must also comply with either paragraph (b)(i), or (b)(ii), but not both.

Schedule 2 Dictionary

Section 5

development footprint has the same meaning as in the *Planning Regulation 2017*.

domestic outbuilding has the same meaning as in the *Planning Regulation 2017*.

members of the same family means spouses, partners, parents, children, step-parents, step-children, siblings, aunts, uncles and cousins.

outermost projection, for a temporary home, means the outermost projection of any part of a temporary home including any awning or canopy, but does not include the towbar, or ornamental attachments.

planning scheme means the local government's planning scheme.

residential allotment means an allotment in an area designated as a residential zone, other than the rural-residential zone, by the planning scheme.

rural allotment means an allotment in an area designated as a rural zone by the planning scheme.

rural residential allotment means an allotment in an area designated as a rural-residential zone by the planning scheme.

secondary dwelling has the same meaning as in the *Planning Regulation 2017*.