

## Fact Sheet 26: Tiny Houses

*This Information Sheet explains the rules around locating and occupying Tiny houses within Noosa Shire. It seeks to explain how they can be considered either a caravan or a building.*

### What is a Tiny house?

A “Tiny house” or “Tiny home” is terminology given to a small, compact, self-contained home. Gaining popularity over the last decade or more, tiny houses are either fixed to a site, or designed to be movable (for example on a trailer or on wheels).

Tiny houses can range in size but are typically no more than 45m<sup>2</sup> in floor area.

Tiny houses vary considerably in standard of construction and fit-out, some incorporating green principles and off-grid capability.

By design they are seen as a more affordable option than a conventional dwelling.

### When is a tiny house a caravan?

Sometimes a tiny house is considered a caravan rather than a building. A Tiny house that is On Wheels (THOW) **and** registered as a caravan or trailer is considered a caravan or RV rather than a building. In this instance it must be parked lawfully and not connected to town water and sewerage services.

While not connected to the land like a building, it is still considered a “structure” for the purpose of the

Local Government Act and as such cannot be occupied as a home under the Local Laws. It can only be used for accommodation while travelling away from home<sup>1</sup>, and is not occupied long term in one place.

Accommodating people in caravans or THOWs longer term, in greater numbers or on a regular basis cannot be done without planning approval for a tourist park.

Importantly, a THOW is not rented out as short-term visitor accommodation nor leased as a residence to a tenant. Offering temporary accommodation to somebody in your THOW (or caravan) should not be for commercial gain.

Where the THOWs are registered as a caravan they are not required to be built to the Building Code of Australia (BCA), as they are not a permanent structure. However, the BCA should be considered as a logical guide for what makes for a comfortable and safe living space.

### Is development approval required for a Tiny house?

Yes, approval is most likely required. The approval/s required depends on how the tiny house is constructed/used, where it is located and the property characteristics.<sup>2</sup>

Note that building approvals can be obtained through a private certifier, however a Plumbing Approval

<sup>1</sup> When you register a caravan in Queensland you will need to provide evidence of the vehicle's Queensland garage address.

<sup>2</sup> Talk to Council about the approvals required for your tiny house, so your specific circumstances (i.e. intended use, zoning, overlays) can be taken into consideration.

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(Permit) or planning approval can only be obtained through Council.

The following table provides guidance on when development approval will be necessary for a Tiny House.

Intended use and circumstances of Tiny House	Development Approvals required?
<p>A tiny house that is:</p> <ul style="list-style-type: none"> <li>• on wheels;</li> <li>• registered as a caravan or trailer;</li> <li>• parked lawfully on private property;</li> <li>• only used for accommodation while travelling away from home;</li> <li>• not connected to services (i.e. water, sewer); and</li> <li>• not rented out.</li> </ul>	<p><b>No</b>, this is a caravan or recreational vehicle.</p> <p>The Rural Zone allows for up to 5 fully self-contained recreational vehicles on large lots (over 10ha in area) but only for a period of 4 nights at a time. Refer to the Noosa Plan 2020 or Council for exact rules on this.</p>
<p>A tiny house that is:</p> <ul style="list-style-type: none"> <li>• on wheels;</li> <li>• registered as a caravan or trailer; and</li> <li>• used to provide a temporary home only while an approved house is being constructed on the same property.</li> </ul>	<p><b>Yes</b>, this will require a permit under Council’s Subordinate Local Law No.1, in addition to having a building permit for the new home.</p> <p>Plumbing Approval is required to ensure compliant and safe water supply and disposal of wastewater.</p>
<p>A tiny house that is:</p> <ul style="list-style-type: none"> <li>• either on wheels or not on wheels; and</li> <li>• being used to provide permanent on-site accommodation;</li> <li>• the only dwelling on the lot, or is a secondary dwelling;</li> <li>• located in any one of the following 5 zones:               <ul style="list-style-type: none"> <li>○ Low Density, Medium Density or High Density Residential; or</li> <li>○ Rural or Rural Residential.</li> </ul> </li> </ul>	<p><b>Yes</b>, this will require Building and Plumbing Approvals.</p> <p>It may also require a planning approval under the Noosa Plan 2020 if:</p> <ul style="list-style-type: none"> <li>• it does not meet the nominated acceptable development requirements; or</li> <li>• a dwelling house is assessable development in the zone applying to the site; or</li> <li>• the site is affected by overlays which call for planning assessment</li> </ul>
<p>All other uses of a Tiny House, such as:</p> <ul style="list-style-type: none"> <li>• a tiny house that is used as a house to live in permanently, located on either a vacant property or a property with another dwelling or dwellings on it; or</li> <li>• a tiny house that is leased as a residence to a short or long term tenant; or</li> <li>• a tiny house that is used as a home office, studio or as a home-based business.</li> </ul>	<p><b>Yes</b>, Building and Plumbing Approvals are required.</p> <p>Planning Approval may also be required under the Noosa Plan 2020, depending on the zone and overlays of the site and the defined use the development falls under.</p>

## Temporary home while you build your home

Under Council’s Local Laws, an application can be made for a temporary home (including a caravan or THOW) on private land while you construct a permanent residence on the property. You must have Building and Plumbing Approvals before you can

apply for a permit and typically, approval would not be given to live in the temporary home for more than 18 months.

To apply you need to provide details of a current building approval for the construction of the permanent residence, the number of the occupants (adults and children) as well as toilet, bathing, laundry, water storage and refuse facilities. Council

View the Noosa Plan 2020 online at [www.noosa.qld.gov.au/noosa-plan-2020](http://www.noosa.qld.gov.au/noosa-plan-2020)

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will need to be satisfied with the safety of the accommodation and the adequacy of water supply, wastewater disposal etc. An application form for a temporary home can be accessed through [www.noosa.qld.gov.au/planning-development/building-plumbing/certification-approvals](http://www.noosa.qld.gov.au/planning-development/building-plumbing/certification-approvals)

## A tiny house as a dwelling house

In instances of the tiny house being the only residential dwelling on an otherwise vacant lot, it needs to meet the requirements for a dwelling house, and any requirements specific to the zone in which it is located, for instance in relation to setbacks.

***Factsheet 2 addresses building a house***

## A tiny house as a secondary dwelling

A **secondary dwelling** is a dwelling used in conjunction with, but subordinate to, another dwelling on the same lot.

***Fact Sheet 3 explains the rules and requirements for secondary dwellings***

## A tiny house as caretaker's accommodation or a dwelling unit

Some non-residential zones allow for either caretakers accommodation (where the occupant genuinely caretakes a use on site) or a dwelling unit where it is co-located with non-residential uses, but the resident is not necessarily involved in these uses.

In such cases the tiny home will require Building and Plumbing Approval and possibly planning approval, depending on whether it meets nominated self-assessable code benchmarks for acceptable development.

### Connection to Services

If located within the urban boundary (indicated on the zone maps), the *dwelling house* must be connected to reticulated water supply, sewerage, stormwater drainage and telecommunications infrastructure networks (where available to the lot).

Where there is no reticulated water supply, a rainwater tank (or tanks) with the following minimum water supply capacity is required:

- for dwellings with no more than 3 bedrooms – 45,000 litres; or
- for dwellings of more than 3 bedrooms or where including a secondary dwelling on the same premises – 60,000 litres.

If reticulated sewerage is not available to the property, the house must be connected to an approved on-site effluent treatment and disposal system.

Information sheets are designed to assist in the interpretation of the Noosa Plan 2020. Before proceeding with development, proponents should review the planning scheme and/or engage professional advice.

Noosa Plan 2020 can be accessed online at [www.noosa.qld.gov.au/noosa-plan-2020](http://www.noosa.qld.gov.au/noosa-plan-2020).

For further information on development under Noosa Plan 2020 contact Council's Development Services on (07) 5329 6500 or email [planning@noosa.qld.gov.au](mailto:planning@noosa.qld.gov.au).

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