

The *Application for Approval to Establish or Occupy a Temporary Home* form is to be to apply for a permit prior to the establishment or occupation of a temporary home.

To return your completed form or for further information, please contact Council's Environmental Services Department via email, council@hinchinbrook.qld.gov.au, phone (07) 4776 4600, in person at Council's Main Office, 25 Lannercost Street, INGHAM QLD, or via post PO Box 366, INGHAM QLD 4850.

Local Law No. 1 (Administration) 2012

(Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012)

Note: The owner of the land upon which a temporary home is established, requires approval unless the owner proves to the satisfaction of Council that the temporary home is merely being stored on the land and is not being used as a place of residence.

APPLICANT DETAILS				
SURNAME				
GIVEN NAMES				
RESIDENTIAL ADDRESS				
POSTAL ADDRESS				
CONTACT PHONE	Home		Work	
	Mobile		Other	

Approval Details:

DOCUMENTS AND MATERIALS THAT MUST ACCOMPANY AN APPLICATION FOR AN APPROVAL				
INTENDED ADDRESS OF TEMPORARY HOME				
REAL PROPERTY DESCRIPTION	Lot no.		on Plan no.	
A drawing showing the design and dimensions of the proposed temporary home – TO BE ATTACHED				
Details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home – TO BE ATTACHED				
If the applicant is not the owner of the land on which the temporary home is (or is to be) located - the written consent of the owner – Delete which is not applicable – (NOT REQUIRED) or (WRITTEN CONSENT OF THE OWNER ATTACHED)				
NAME OF EACH PERSON WHO IS TO OCCUPY THE TEMPORARY HOME (Attach a separate list if there is more than four persons)				
1.				
2.				
3.				
4.				

Details of the operation of the proposed temporary home including toilet, bathing, laundry, water storage and refuse facilities – **TO BE ATTACHED.**

If a permanent residence or permanent structure is proposed to be constructed on the land the subject of the application - a copy of the development approval for the permanent residence or permanent structure:

Delete which is not applicable – (NOT REQUIRED) or (ATTACHED).

If the applicant or another person is to live on site during construction of a permanent residence or permanent structure on the land—an independent itemised valuation of the construction cost (of both the proposed temporary home and the permanent residence or permanent structure) including an itemised valuation based on recognised current building industry rates covering all areas that are applicable to the construction of the temporary home and the permanent residence or permanent structure including, without limitation, the outstanding cost of purchase of the land, the cost of construction of the proposed temporary home and the cost of construction of the proposed permanent residence or permanent structure – **Delete which is not applicable – (NOT REQUIRED) or (ATTACHED).**

Proof that the financial resources of the applicant are such that the applicant is capable of funding the construction of the temporary home and the permanent residence or permanent structure – **TO BE ATTACHED.**

If the applicant is an owner/builder – evidence that the applicant is registered as an owner/builder with the Queensland Building Services Authority – **Delete which is not applicable – (NOT REQUIRED) or (ATTACHED).**

A progress chart or similar timetable showing significant milestones during the process of construction of each of the temporary home and the permanent residence or permanent structure so as to enable the term of the proposed approval to be fixed by Council – **TO BE ATTACHED.**

CONFIRMATION IS REQUIRED THAT

1. The temporary home will not be occupied as a place of residence permanently or for an indefinite period.
2. The applicant proposes, within the period for which the approval is granted:
 - (a) to erect, or convert an existing structure into, a permanent residence; or
 - (b) to carry out building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence.
3. An adequate source of water will be available to the proposed temporary home.
4. Adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained.
5. The temporary home must be located on the land in such a way as to not have a materially adverse impact on the amenity of the owner or occupier of any adjoining land.

Note – Council may refuse an application for an approval on the ground that:

- (a) the applicant has not made a genuine application for a development approval for;
 - (i) the proposed erection of, or conversion of an existing structure into, a permanent residence;
 - (ii) the proposed building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence; and
- (b) a development approval has been granted but is likely to expire before building work to be carried out under the approval has been completed.

CONDITIONS THAT WILL ORDINARILY BE IMPOSED ON AN APPROVAL

1. The conditions of an approval may:
 - (a) regulate the design, dimensions, construction, and external appearance of the temporary home;
 - (b) require the provision of specified facilities for personal hygiene and sanitation, and for washing and drying clothes;
 - (c) require the approval holder to provide specified equipment, or take specified action, to ensure that the temporary home is adequately supplied with water;
 - (d) regulate the disposal of waste water and refuse from the temporary home;
 - (e) require the approval holder to dismantle and remove the temporary home by a specified date;
 - (f) require the approval holder to keep the temporary home in good order and repair;
 - (g) require the approval holder to ensure that the temporary home is not unsightly or unhygienic;

- (h) restrict the number of persons who may occupy the temporary home; and
(i) require the approval holder to advise the local government of any change of the name of the persons who are occupying the temporary home.

2. All water supplied for domestic purposes to the temporary home must be potable water.

3. All sewerage and waste water from the temporary home must be discharged safely.

TERM OF AN APPROVAL

1. An approval may be granted for a term of up to 18 months.

2. The term of an approval may be assessed by Council having regard to the information submitted by the applicant.

3. The term of an approval must not exceed the lawful period of the development approval for the permanent residence or permanent structure.

4. The term of the approval will be specified in the approval.

5. In any event, the term of an approval comes to an end on the earlier of:
(a) the date on which the term of the approval ends; and
(b) the date on which the permanent residence or proposed permanent residence becomes fit for occupation as a place of residence.

TERM OF RENEWAL OF AN APPROVAL

1. An approval cannot be renewed.

2. However, Council may extend the term of an approval to coincide with the expected completion date of the building work for the erection or alteration of, or conversion of an existing structure into, a permanent residence that is, when the application for extension is made, and likely to be completed within a reasonable time.

THIRD PARTY CERTIFICATION

Note – Having regard to the consistency of the proposed operation and management of the activity in relation to:

1. An adequate source of water will be available to the proposed temporary home; and
2. Adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained.

A builder's licence (of the class BLR, BMR, BO or BPMS) issued by the Building Services authority OR A Plumber's License issued by the Plumbers and Drainers Board third party certification is required.

Pursuant to *Queensland Building Act 1975* any additional loads imposed on the structure will require engineering certification.

Attachments:

An application for an approval **must** include or be accompanied by:

1. A drawing showing the design and dimensions of the proposed temporary home;
2. Details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home;
3. Proof that the financial resources of the applicant are such that the applicant is capable of funding the construction of the temporary home and the permanent residence or permanent structure; and
4. A progress chart or similar timetable showing significant milestones during the process of construction of each of the temporary home and the permanent residence or permanent structure so as to enable the term of the proposed approval to be fixed by Council.

An application for an approval **may** include or be accompanied, if required, by:

1. If the applicant is not the owner of the land on which the temporary home is (or is to be) located - the written consent of the owner;
2. If a permanent residence or permanent structure is proposed to be constructed on the land the subject of the application - a copy of the development approval for the permanent residence or permanent structure;
3. If the applicant or another person is to live on site during construction of a permanent residence or permanent structure on the land — an independent itemised valuation of the construction cost (of both the proposed temporary home and the permanent residence or permanent structure) including an itemised valuation based on recognised current building industry rates covering all areas that are applicable to the construction of the temporary home and the permanent residence or permanent structure including, without limitation, the outstanding cost of purchase of the land, the cost of construction of the proposed temporary home and the cost of construction of the proposed permanent residence or permanent structure; and
4. If the applicant is an owner/builder – evidence that the applicant is registered as an owner/builder with the Queensland Building Services Authority.

Signature of Applicant/s

I acknowledge that approval of this application may be subject to:

1. Conditions that will ordinarily be imposed on an approval;
2. Term of an approval;
3. Term of renewal of an approval; and
4. Third party certification.

Establishment or occupation of a temporary home without approval as set out herein is an offence which carries a maximum penalty amount of 50 penalty units (\$774.00 Penalty Infringement Notice).

PRIVACY CLAUSE

The information collected on this form will be used by the Hinchinbrook Shire Council in accordance with the processing and assessment of your application. Your personal details will not be disclosed for a purpose outside of Council protocol, except where required by legislation (including the *Information Privacy Act 2009*) or as required by the Queensland State Government. This information may be stored in the Council database. The information collected will be retained as required by the *Public Records Act 2002*.

Signature of Applicant:

Date:

Signature of Applicant:

Date:

Electronic Funds Transfer Form Completed and Attached: ☐ Yes

OFFICE USE ONLY – DEPARTMENT TO COMPLETE				
Plant Number/s			☐ Yes	☐ No
Comments				
Authorised by				
Signature		Date		

