

Tiny house is an umbrella term broadly used to describe a structure or vehicle designed for habitation which is considerably smaller than a typical dwelling.

Approval requirements for tiny houses depend on what the tiny house is being used for, how it is designed, and where it is to be located. This information sheet provides examples of different tiny house typologies and what approvals may be required.

Tiny houses on wheels

If a tiny house has wheels it is classified as a 'caravan' and regulated under the *Caravan Parks and Camping Grounds Act 1995*.

Inhabiting a caravan outside of licensed caravan parks is generally prohibited under the Caravan Parks and Camping Grounds Regulations 1997, although a person may temporarily 'camp' in a caravan on private property:

- a) For up to five nights, with the landowner's consent; or
- b) For up to 24 months, with the landowner's consent and after obtaining the written approval of the local government or Minister for Local Government.

Building and development approvals are not required to temporarily camp in a caravan, although the construction of associated structures (e.g. patios, decks) may require approval.

Tiny houses without wheels

If a tiny house does not have wheels it is classified as a building and regulated under the *Building Act 2011* and *Planning and Development Act 2005*.

All habitable buildings need to be designed to comply with the National Construction Code (NCC) and obtain a building permit under the *Building Act 2011*.

In addition to a building permit, development approval under the local planning scheme may also be required depending on the type, design and location of the proposed tiny house. Tiny houses can fall under a range of different dwelling types described in the Residential Design Codes

(R-Codes), or other accommodation types depending on the applicable local planning scheme.

Below are some examples of different tiny house types, along with typical development approval requirements.

Single house

A dwelling standing wholly on its own lot (excluding strata schemes with common property) is generally exempt from requiring development approval if:

- the R-Codes apply;
- the deemed-to-comply provisions of the R-Codes are complied with; and
- it isn't located in a heritage-protected place.

Development approval is required for single houses not meeting the above requirements.

Ancillary dwelling (granny flat)

An ancillary dwelling is commonly known as a granny flat and is a small (less than 70m²) self-contained dwelling on the same site as an existing dwelling.

Like single houses, ancillary dwellings are exempt from requiring development approval if the R-Codes apply, the deemed-to-comply requirements are satisfied, and the site isn't heritage protected. Recent changes to the R-Codes have made it easier for ancillary dwellings to qualify for an exemption, provided they don't exceed 70m² and meet applicable setback requirements.

Grouped dwelling

A grouped dwelling is one of a group of two or more dwellings on the same lot (including strata schemes with common property) with no part of the dwelling above or below another.

Grouped dwellings don't qualify for the same development approval exemptions as single houses and ancillary dwellings, and development approval is generally required.

Short-term rental accommodation

Dwellings provided on a commercial basis for occupation under a short-term rental arrangement (e.g. holiday rentals) may require development approval depending on the circumstances. The proposed location and zoning under the local planning scheme, along with how long the dwelling is to be used for short-term rental accommodation, will inform whether exemptions apply.

Workforce accommodation

Workforce accommodation means buildings used for the accommodation of workers engaged in construction, resources, agricultural or other industries on a temporary basis (e.g. mining camps). Development approval is typically not required where the facility is subject to a State Agreement Act or mining tenement, but elsewhere, approval may be required depending on the requirements of the local planning scheme.

Where can I get more information?

Contact your local government for information about development and building requirements.

Additional information is also available via the following links:

- [Tiny houses fact sheet](#)
- [Ancillary dwellings/granny flats](#)
- [The Residential Design Codes](#)
- [Short-term rental accommodation](#)
- [Workforce accommodation](#)

Further information on the regulation of caravans under the *Caravan Parks and Camping Grounds Act 1995* can be obtained from Department of Local Government, Sport and Cultural Industries ([Caravan parks and camping | DLGSC](#)).