



SOUTH BURNETT
REGIONAL COUNCIL

Tiny Houses

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This factsheet provides information and rules around locating and occupying Tiny Houses within the South Burnett region. It seeks to explain how they can be considered either a caravan or a building, and what approvals may be required.

What is a Tiny House?

Tiny houses are a small, compact form of accommodation that may be fully self-contained.

Tiny houses can:

- be designed to be relocatable (for example on a trailer or wheels) or stationary (for example on footings or stumps);
- range in size but are generally significantly smaller than a standard dwelling;
- vary considerably in standard of construction and fit-out, with some incorporating green principles and off-grid capability; and
- provide an affordable housing option, while minimising land consumption and impact.

When is a tiny house a caravan?

A tiny house may sometimes be considered a caravan rather than a building. A tiny house that is attached to wheels (directly or by positioning on a trailer) and is not fixed to the land (for example is moveable) and has the capability of being registered as a vehicle under the *Motor Vehicles Standards Act 1989* is considered a caravan or RV rather than a building.

Where a caravan or RV is registered it is not required to be built to the Building Code of Australia (BCA), as it is not considered a permanent structure.

While not fixed to the land, it is considered a "structure" for the purpose of the *Local Government Act 2009*, and as such cannot be occupied as a home under Council's *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law 1.3 (Establishment or Occupation of a Temporary Home) 2011*.

Do I need Council approval for my tiny house?

Unless a tiny house is on wheels and in an approved Caravan Park, Council approval is required.

Unfortunately, there is a lot of misinformation about tiny houses, and some people buying these buildings have been told no approvals are required from Councils. This is not correct, as any building requires building approval and plumbing approval before being installed on land.

The approvals required depend on how the tiny house is constructed/used and the property characteristics (for example zoning).

Council approvals that may be required include:

- development approval for a material change of use (a planning approval);
- development approval for building work (a building approval);
- permit for plumbing and drainage work (a plumbing approval); or
- a local law approval for a temporary home.

It is strongly recommended, that advice be obtained from Council regarding the approvals required for a tiny house. Your specific circumstances (for example intended use, zoning, and overlays) should then be taken into consideration.

How can I find out the applicable Planning Scheme, zone, and overlays for a property?

Council's Planning Scheme can be found on Council's [website](#) and includes [interactive mapping](#) allowing fast, easy access to property zonings and overlays.

Building approval

The building approval process for a tiny house is the same as for any Class 1a Dwelling. This means the tiny house must be built to a Class 1a dwelling standard, for example be built by a QBCC licensed builder, be on engineered footings or stumps, and come with the necessary certificates required to obtain a Form 21 – Final Inspection Certificate.

Footings, structural steel, and reinforced concrete portions of building work all need to be certified by a Registered Professional Engineer Queensland (RPEQ). Also, any works outside the scope of AS1684 (Timber Framing Code) will need to be certified by an RPEQ.

Many of the commercially sold tiny houses have been imported into Australia and may not meet Australian Standards. Before buying one of these buildings, you should ask for and obtain in writing certification that building, plumbing and electrical works have been carried out in accordance with Australian Standards.

Plumbing approval

If you propose to reside in a tiny house, caravan, or shed temporarily while you construct a dwelling on the same land, you will require a Temporary Home permit under *Council's Local Law No.1 (Administration) 2011 and Subordinate Local Law No.1.3 (Establishment or Occupation of a Temporary Home) 2011*. A copy of the Local Law and subordinate Local Law is available on Council's [website](#).

You must have obtained building and plumbing approvals, and appropriate facilities available (potable water, toilet, shower and the like) prior to applying for a permit and generally approval will not be given to live in the temporary home for more than 18 months. Council's Planning branch can be contacted for further information on these requirements.

Council approvals

The below table is a guide to what approvals are required for a tiny house.

Intended use of tiny house	Is approval required?
<p>A tiny house that is:</p> <ul style="list-style-type: none"> on wheels and registered as a caravan, RV, or trailer; parked lawfully on private property; only used for accommodation while travelling away from home; and not connected to services (for example town water and sewer). 	<p>No. This is a caravan or RV.</p> <p>Approval is not required to store a caravan or RV on your land.</p>
<p>A tiny house that is:</p> <ul style="list-style-type: none"> on wheels; and used to provide permanent accommodation. 	<p>No.</p> <p>Note: A tiny house on wheels is a caravan or RV. A caravan or RV can only be used for permanent accommodation only if parked within an approved Caravan Park.</p> <p>It is important to note that the occupation of a caravan or RV as a permanent home, outside of a caravan park, would be contrary to Council's <i>Local Law No. 1 (Administration) 2011 and Subordinate Local Law 1.3 (Establishment or Occupation of a Temporary Home) 2011</i>. You may be subject to Council compliance action under the <i>Environmental Protection Act 1994</i> and the <i>Public Health Regulation 2018</i>.</p>

<p>A tiny house that is:</p> <ul style="list-style-type: none"> • not on wheels; • used to provide permanent accommodation; and • the only dwelling on the lot or is a secondary dwelling. 	<p>Yes.</p> <p>Building and Plumbing approvals are required.</p> <p>Planning approval may also be required depending on the zoning of the land.</p>
<p>All other uses of a tiny house, this may include (but not limited to):</p> <ul style="list-style-type: none"> • a tiny house not on wheels used as permanent accommodation; • a tiny house used as an addition to an existing dwelling; • more than one tiny house; • a tiny house used as an additional dwelling; • a tiny house that is used as a home office, studio or as a home-based business; • a tiny house rented out for either short-term or long-term accommodation; or • a tiny house used for guest accommodation or storage. 	<p>Yes.</p> <p>Building and Plumbing approvals are required.</p> <p>Planning approval may also be required depending on the zoning of the land.</p>

Further Information?

If you require further information in relation to tiny houses, or would like to speak with a Council officer, please contact Council via one of the following methods:

- ✉ South Burnett Regional Council
PO Box 336
KINGAROY QLD 4610
- ☎ (07) 4189 9100
- @ info@sbrc.qld.gov.au
- 👤 Visiting a Customer Service Centre