

# Tiny Houses

**Tiny Houses are a popular way to minimise the urban footprint by living affordably, sustainably and communally. With many options available, owners need to consider local and state planning legislation when considering this form of dwelling.**

## What is a Tiny House?

In the Port Macquarie Hastings Local Government Area, a tiny house is either:

- a small dwelling house fixed to the land as a secondary home (considered a secondary dwelling); or,
- a small dwelling-house fixed to a trailer with the capability of being registered under the Road Transport Act as a secondary home (considered a caravan).

While both types of tiny houses are subject to local and state planning controls, depending on the type of tiny house and the zoning of the land on which it is located, there are different requirements for each. **Check out the Frequently Asked Questions below.**

A tiny house is considered a primary dwelling subject to Council's development application process and compliance with Building Code of Australia and Local Government Regulation building standard requirements. It is best to consult with Council if this is your intention.

## Frequently Asked Questions

Question	Fixed Tiny House (Including a Secondary Dwelling)	Tiny House on Wheels (Caravan)
<b>Do I need development approval for my tiny house?</b>	<b>Yes.</b> Council requires a Development Application (or Complying Development Certificate, which can potentially be approved by a Private Certifier) and other related applications to assess and certify proposals for a permanently constructed or installed dwelling/manufactured home.	<b>No.</b> If the tiny house is registered with the Roads and Maritime Services as a trailer, no development approval is required to put it in your backyard or on your property (subject to meeting a number of certain exemptions).

**Do I have to pay a development contribution?**

**No.**  
Secondary dwellings under 60m<sup>2</sup> are exempt except if the dwelling requires connection to town water.

**No.**  
Unless a property has no contributions credit.

**Can I live in my tiny house, as a primary dwelling, on my otherwise vacant property?**

**Yes and No.**  
Current legislation does not allow for tiny houses as primary dwellings as described in this fact sheet. This applies to rural and residential zoning. However, subject to certain approvals and compliance a tiny house may be considered a primary dwelling. Please talk to Council if this is your intention. \*  
\*See Tiny House as a Primary Dwelling note on page 1

**Can I, or a member of my family, live in my tiny house on my property, which has an approved, existing dwelling (house)?**

**Yes.**

**Yes.**  
You can have no more than one caravan, campervan or tent if you plan to have someone that is a member of your house live in it on long-term basis, only when you have an approved existing dwelling/house already on the lot. You must maintain your tiny house in a safe and healthy condition for human habitation as a moveable dwelling.

**Can I have more than one tiny house on my property?**

**No.**

**Potentially.**  
[NSW Legislation](#)\* may permit you to have no more than two caravans, campervans or tents if you plan for someone to stay in them for a short term (up to 48 hours at a time) for no more than 60 days per year. Make sure you speak to one of Council's Duty Planners if this is your intention (contact details listed).  
\* Local Government (Manufactured Home Estates, Caravan parks, Camping Ground and Moveable Dwellings) Regulation 2005.

**Can I holiday let or rent out my tiny house?**

**Yes and No.**  
The secondary dwelling can be rented out as a form of affordable rental

**Yes and No.**  
The installation is for habitation by the owner or

housing (> 3 months at a time).  
Holiday letting requires development consent from Council.

by members of the owner's household only.  
Holiday letting requires development consent from Council.

**Can I connect my tiny house to town water, power and sewer?**

**Yes.**

Plumbing for water supply waste water disposal will require approval from Council under Section 68 of the Local Government Act 1993 (fixed water and sewer connection points will be required). Contributions may apply particularly if a second water meter is required.

## Planning Legislation

Tiny house installation and use is subject to the approval and design requirements of both State Government and local Council planning controls.

Council's primary planning documents for new dwelling-house developments are:

- [Port Macquarie-Hastings Local Environmental Plan 2011](#)
- [Development Control Plan 2013.](#)

Additionally, there are two State Environmental Planning Policies and a Local Government regulation to consider:

- [SEPP \(Building Sustainability Index: BASIX\) 2004](#)
- [SEPP \(Affordable Rental Housing\) 2009 - this relates to tiny houses used as secondary dwellings](#)
- [Local Government \(Manufactured Home Estates, Caravan parks, Camping Ground and Moveable Dwellings\) Regulation 2005.](#)

## Need Assistance? Duty Planners Are Available.

Did you know you could discuss your proposal with a Council Planner to confirm exemption requirements before submitting an application to install or site a tiny house on your property? It is highly recommended that you use this free service as early consultation with a Duty Planner can save you time and money.

This service is available from Council's Port Macquarie Office Monday to Thursday 8:30am to 1:00pm. No bookings are required.

**For more information visit [pmhc.nsw.gov.au](http://pmhc.nsw.gov.au) or contact Council on (02) 6581 8111.**