

12 Questions to Ask Council Before You Buy or Build

Send these by email before you sign a contract or put anything on the land. A written answer from council costs little — and it can save the whole block.

How to use it

1

Fill in the lot details below. Council needs the lot and plan number, not just the street address.

2

Pick the questions that fit your plan — or send all twelve. The email on page 4 is ready to copy.

3

Ask by email, so you have a dated record. Keep every reply in your land folder.

THE BLOCK

Address: _____

Lot: _____

DP / SP / Plan: _____

Council: _____

Date asked: _____

My plan (house, caravan, shed, tiny home ...): _____

PART A

Can a house go on this lot?

The zone and the individual lot decide this — not the price, the shack on it, or the neighbours.

1

What is the zone, and is a dwelling house permitted, does it need approval, or is it prohibited on this lot?

WHY ASK Every state has at least two approvals: planning (may this happen here?) and building (is it safe?). Getting one never gives you the other. **BOOK • CH 1, 4**

2

Does this lot meet the minimum lot size for a dwelling — or does it have a dwelling entitlement under a savings provision?

WHY ASK NSW lots need to meet a minimum lot size or a savings rule. Victoria's Farming Zone wants 40 ha (or the council's scheduled size) for a permit-free house. In NSW, the s 10.7 planning certificate (about \$74–\$185) puts the answer in writing. **BOOK • CH 4**

3

Which overlays affect building a house here — bushfire, flood, vegetation, heritage, catchment?

WHY ASK Overlays add their own rules on top of the zone. Most are on your state's free planning map — VicPlan's Planning Property Report in Victoria, the Planning Portal Spatial Viewer in NSW. **BOOK • CH 4, TOOLKIT C**

4

Are you aware of any agreements, covenants or restrictions on this lot that would prevent a dwelling?

WHY ASK A sales listing won't show them. Order a title search and read the easements, covenants and caveats — and in Tasmania, ask council about any section 71 agreement. **BOOK • CH 4, TOOLKIT D**

5

Does any existing structure on the land have approval — and approved as what?

WHY ASK "Approved" always means approved *for something*. A shed permit approves a shed, not living in it. **BOOK • CH 1, 16**

PART B**Access, services and fire**

The things that quietly decide what a block really costs.

6

Does the lot have legal access — frontage to a public road or a registered right of way? What approval would a new driveway crossing need?

WHY ASK A driveway crossing onto a public road is work on the road, which needs the road authority's consent — in NSW, council approval under section 138 of the Roads Act 1993. **BOOK • TOOLKIT D, F**

7

Which toilet and wastewater systems will you accept on this land — and what approvals, fees and site or soil assessment do they need?

WHY ASK A composting toilet is an on-site sewage system: it needs an approved product and an approval almost everywhere. Ask before you buy the toilet. **BOOK • CH 11**

8

Do you require a minimum water tank for a house here? And who approves a bore or a dam on this land?

WHY ASK Councils may require a minimum tank for a house — 45,000 litres in some places. Drilling a bore usually needs a permit or licence of its own, often from your state water authority rather than council. **BOOK • CH 12**

9

Is the land bushfire-prone? If so, what BAL assessment, cleared space, access and firefighting water would a house need?

WHY ASK High BAL ratings can switch off fast-track and exempt approvals. Expect firefighting water (5,000–10,000 L) and cleared space around the house. **BOOK • CH 14**

PART C**Living there**

Living on land is itself a use of the land — even in a caravan, with nothing built.

10

How long may I stay on my own land in a caravan without approval? And to live there longer — what approval, for how long, what fee and what conditions?

WHY ASK Every state separates short stays from living there. NSW: 2 days at a time, 60 days in any 12 months. WA: 5 nights in 28, or up to 24 months with approval. QLD, VIC and TAS: it depends on your council. **BOOK • CH 2, 5**

11

Can I live on site while I build? Must the house be approved or started first, how long can that approval last, and what facilities do you require?

WHY ASK Most councils will let you live on site while you build — once the house is approved. Approvals typically run 6 months to 2 years, with conditions for water, toilet, power and fire. **BOOK • CH 6**

12

Does a shed here need planning approval, a building permit, or both — and does it matter that there's no house on the land yet?

WHY ASK A shed is a Class 10a building — non-habitable. No shed approval ever approves living in it, and the big domestic shed limits (SA, VIC, TAS) usually need a house on the land first. **BOOK • CH 7**

Copy & send

Paste the questions you picked into the gap. Send it to council's general enquiries or planning email address.

Subject: Enquiry about Lot ___, [address] — before I buy / build

Dear Planning team,

I am considering buying [or: I own] Lot ___, DP/SP/Plan ___, at [address]. I would like to [build a house / live in a caravan while I build / put up a shed].

Could you please confirm in writing:

[paste your questions here, numbered]

A reply by email would be very helpful, so I have it on record. If any of these questions is for another authority, could you tell me which one?

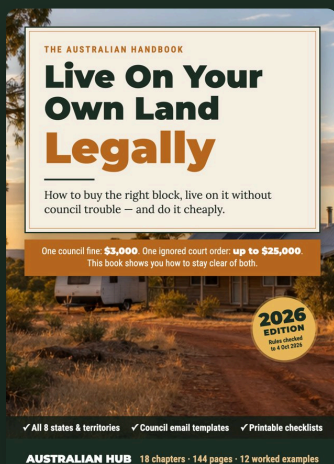
Kind regards,
[name, phone]

After every phone call

Send a short email the same day: "To confirm our conversation today with [name] about Lot ___: you advised that _____. Please let me know if I have misunderstood anything."

Before you sign

Assume there's no cooling-off on a rural block. If you need time for council's answer, make the contract conditional on it.



WANT THE ANSWERS FOR YOUR STATE?

Live On Your Own Land — Legally

- What every state and territory allows for caravans, sheds, tiny homes and granny flats
- The law or official page behind every rule
- Ten council emails ready to send — and what to do if council writes to you

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General information, not legal advice. Rules differ between councils and change over time — always get council's answer in writing. Facts checked against official sources, October 2026. © Australian Hub.