

### 1. Purpose

The purpose of the policy is to outline the approval and installation process for the Installation of a Manufactured or Relocatable building within Warrumbungle Shire Council.

### 2. Objectives of the Policy

The objective of this policy is to:

- Acknowledge that the installation of Transportable or Relocatable Dwellings is different to the construction of a dwelling house in the legislative and approval process
- Distinguish that there are different types of transportable or relocatable buildings which require different considerations and approval processes.
- Ensure that Council exercises its functions as the approval body consistently and in accordance with the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993
- Provide information to all relevant stakeholders on the approval process for transportable or relocatable buildings within the Shire.

### 3. Policy Scope

This policy applies to all applications for the Installation and Occupation of a Manufactured or Relocatable buildings within the Shire.

### 4. Background

Warrumbungle Shire Council is an approval and consent authority for building installations and relocations within the Shire. The installation or relocation of a dwelling is increasing in popularity. The installation approval is regulated in a different manner to the traditional development and certification process. Due to this different approval process, guidelines are required in accordance with the relevant legislation to ensure that the installation of these homes is regulated in a consistent and appropriate manner.

### 5. Definitions

As defined under the Local Government Act 1993

**Manufactured Home** means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities) being a dwelling:

- a) That comprises one or more major sections, and
- b) That is not a motor vehicles, trailer or other registerable vehicle within the meaning of the *Road Transport Act 2013*, and includes any associated structures that form part of the dwelling.

**Moveable Dwelling** means:

- a) Any tent, or any caravan or other portable device (whether on wheels or not), used for human habitation, or
- b) A manufactured home, or
- c) Any conveyancing, structure or thing of a class or description prescribed by the regulations for the purpose of this definition.

As defined under the Environment Planning and Assessment Act 1979

**Manufactured Home** has the same meaning as in the *Local Government Act 1993*

**Moveable Dwelling** has the same meaning as in the *Local Government Act 1993*

As defined in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 [NSW]

**Relocatable Home** means:

- a) A manufactured home, or
- b) Any other moveable dwelling (whether or not self-contained) that comprises one or more major sections, including any associated structure that forms part of the dwelling,

But does not include a tent, caravan or campervan or any moveable dwelling that is a vehicle of a kind that is capable of being registered within the meaning of the *Roads Transport Act 2013*.

## 6. Policy Statement

The majority of applications received by Council are for approval to install a Manufactured or Relocatable Dwelling onto the owners land. Applications are also received to place other Manufactured or Relocatable Buildings upon the owners land these can include manufactured kitchens, toilet blocks and the like.

### 6.1. Approval requirements for Manufactured or Relocatable Dwellings

Prior to any Manufactured or Relocatable Dwelling being transported or installed on site the following must be applied for and approved by Council:

- Development Consent must be obtained for the use of the subject building issued under the Environmental Planning and Assessment Act 1979; and
- An approval to install the building under Section 68 of the Local Government Act 1993.

Additional approvals will be required from Council to connect into Council's Services (water and sewer) or to install and operate an On-Site Sewerage Management System in the dwelling is to be installed in a non-sewered area.

During the installation process Council may request as a condition of approval that inspections be carried out during various stages of the installation process, such as after the excavation of and prior to the pouring of footings and prior to occupation. Prior to occupying a Manufactured or Relocatable Dwelling an Approval to Occupy must be applied for and approved by Council.

Considerations will be given at the development application stage to the suitability and safety of the dwelling and for the health and amenity of the occupants and public. This may include issues such as structural integrity, facilities within the building and possible asbestos.

#### 6.2. Relocatable Dwellings

In regard to all new building works they are required to comply with the Building Code of Australia as in force at the time of application. The relocated dwelling is not to be temporarily stored elsewhere in the Shire without prior approval of Council.

The development application must include:

- A comprehensive report prepared by a Structural Engineer certifying the soundness of the building
- Photographic evidence of the dwelling (external and internal photographs)
- An asbestos report on the structure by a consultant hygienist or similar

Any asbestos material must be removed from the building by an approved and licenced asbestos removalist and certificate of clearance issued prior to installation approval.

Council will require as a condition of approval that such structures be completed in a reasonable prescribed period of time and not left derelict on a site (ie 12 months). A security bond may be required by Council to ensure the building is upgraded within the time period specified by Council consent.

The relocated structure should be in character, scale and comprise similar external material finishes to that of existing dwellings adjoining and in the locality.

#### 6.3. Bushfire Prone Land

Where a Manufactured or Relocatable Dwelling is proposed to be installed in a Bushfire Prone area (as identified on Council's GIS mapped Bushfire Prone Land) are to be accompanied by a bushfire risk assessment in compliance with the relevant requirement of the NSW Rural Fire Services. Reference is to be made to the requirements of "Planning for Bushfire Protection 2006" produced by the NSW Rural Fire Services.

#### 6.4. Installation of Manufactured or Relocatable Building (other than a dwelling)

Manufactured or Relocatable Buildings can include manufactured kitchens, toilet blocks and the like. The installation of a Manufactured or Relocatable Building is a different approval process.

Prior to any Manufactured or Relocatable Building being transported or installed on site the following must be applied for and approved by Council:

- Development Consent must be obtained for the use of the subject building issued under the Environmental Planning and Assessment Act 1979; and
- A Construction Certificate must be applied for an approved
- The following details will need to be submitted with the Construction Certificate Application:
  - Plans and Specifications
  - Structural Engineers Report/Slab/Footing details
  - Engineers/Bracing/Tie Down details
  - Storm water drainage details
  - Builder/Owner builder details
  - Soil type/classification

In regard to all new building works they are required to comply with the Building Code of Australia as in force at the time of application

Additional approvals may be required from Council to connect into Council's Services (water and sewer) or to install and operate an On-Site Sewerage Management System in the dwelling is to be installed in a non-sewered area.

### 7. Responsibilities

The Manager Regulatory Services will hold responsibility over this policy

### 8. Associated Documents

*Other policies, procedures, forms and Council reports eg Workforce Management Plan*

### 9. Getting Help

*The staff member/s who can assist with enquiries about the policy*

*Position: Manager Regulatory Services, Building Certifier*

*Department: Development Services Department*

### 10. Version Control

Review Date:

Staff Member Responsible for Review: Manager Regulatory Services

<b>Policy Name</b>	<b>Action</b>	<b>Resolution No.</b>	<b>Date</b>
Relocated Dwelling Approvals – Special Requirements	<i>Endorsed</i>	449	15 June 2006
Transportable Homes Policy	<i>Endorsed</i>	80/1314	15 August 2013
Installation of Manufactured/Relocatable Dwelling or Building	<i>Endorsed</i>	125/1718	21 September 2017