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| <b>POLICY:-</b>   |  |
| Policy Title:   | Transportable / Relocatable Buildings – New and Previously Constructed |
| File reference:   | F10/618-07   |
| Date Policy was adopted by Council initially:                     | 27 April 2006  |
| Resolution Number:  | 90/06  |
| Other Review Dates:   | 22 February 2007, 26 July 2007, 19 April 2012, 16 February 2017        |
| Resolution Number:  | 45/07, 200/07, 102/12, 9/17  |
| Current Policy adopted by Council:                                | 21 July 2022   |
| Resolution Number:  | 153/22   |
| Next Policy Review Date:  | 2025   |
| <b>PROCEDURES/GUIDELINES:-</b>                                    |  |
| Date procedure/guideline was developed;                           | N/A  |
| Procedure/guideline reference number:                             | N/A  |
| <b>RESPONSIBILITY:-</b>   |  |
| Draft Policy Developed by:  | Director Environment and Planning                                      |
| Committee/s (if any) consulted in the development of this policy: | Nil  |
| Responsibility for implementation:                                | Director Environment and Planning                                      |

## **OBJECTIVE:**

To establish a policy for –

- i) the installation of manufactured or relocatable dwellings; and
- ii) any other moveable dwelling; and
- iii) the re-location of previously constructed dwellings.

on private land within Upper Lachlan Shire Council for domestic use only.

## **Definitions:**

**installation** means:

- (a) in relation to a manufactured home or a relocatable home—the process of connecting together the major sections of the manufactured home or relocatable home, and any associated structures forming part of the manufactured home or relocatable home, and attaching them to footings, or
- (b) in relation to an associated structure—the process of constructing or assembling the components of the associated structure, and (if appropriate) attaching them to footings, and includes the connection of gas, electricity, telephone, water, sewerage and drainage services.

**major section** mean: a single portion of a manufactured home or relocatable home, being a portion:

- (a) that contains a total living space (excluding the living space contained in any associated structure) of at least 20 cubic metres, and
- (b) that comprises all of the major components of that portion of the home, including the chassis or frame, the external and internal walls, the roof and ceilings, the floors, the windows and doors, the internal plumbing and wiring, the tiling, the kitchen, bathroom and laundry fittings (other than stoves, refrigerators, washing machines and other whitegoods) and the built-in cupboards and cabinets.

**Note:** The terms *manufactured home* and *manufactured home estate* are defined in the Local Government Act 1993.

**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 capable of being registered under the *Road Transport Act 2013*.

**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 registrable 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 van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.

## **1. MANUFACTURED, RELOCATABLE and MOVEABLE DWELLINGS**

Are approved under the requirements of Section 68 of the Local Government Act 1993, and Part 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, which stipulates the design and installation details for all types of manufactured, relocatable and moveable dwellings.

In addition the (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 stipulates the information to be contained in the Compliance Plate attached by the manufacturer to each manufactured, relocatable and moveable dwelling that is installed in accordance with the Regulations.

At the completion of the installation, and prior to occupation or use of the building, Council can issue a Certificate of Completion to the owners permitting its use.

Note that a Development Application will be required to be lodged with Council to allow consideration of any approval for installation of any manufactured, relocatable or moveable dwelling.

## **2. RE-LOCATION OF PREVIOUSLY CONSTRUCTED DWELLINGS**

This would include any dwelling or non-habitable building (eg garage) that was constructed on-site at another location, either from within Upper Lachlan Shire Council area or from another Council area, and was proposed to be transported to a new location within Upper Lachlan Shire Council and re-sited.

Prior to consideration of any re-location of a previously constructed building Council would require written confirmation from an appropriately qualified person that no asbestos has been used in its construction, and that it was lawfully constructed (ie a Building Approval or Construction Certificate was previously issued).

Note that a Development Application and a Construction Certificate will be required to be lodged with Council to allow consideration of approval for any re-location of a previously constructed building.

**Variation:**

Council reserves the right to vary or revoke this policy.

**3. Related Legislation:**

Local Government Act 1993

Road Transport Act 2013

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulations 2000