



**CABONNE COUNCIL
DEVELOPMENT CONTROL PLAN NO. 15
(AMENDMENT NO. 1)**

**RELOCATABLE AND TRANSPORTABLE
HOMES**

**As approved by Council at the meeting of 20 June 2005
As amended by council at the meeting of 28 May 2024**

**Originally came into effect on 14 July 2005
Amendment 1 came into effect on 29 May 2024**

Bradley Byrnes, General Manager, Cabonne Council, certify that this Development Control Plan No. 15 Relocatable and Transportable Homes – Amendment No. 1 is a Development Control Plan made pursuant to Division 3.6 of the Environmental Planning and Assessment Act 1979 and approved by Council at the meeting of 28 May 2024.

RELOCATABLE AND TRANSPORTABLE HOMES

1	INTRODUCTION	2
1.1	What are relocatable and transportable dwellings?	2
1.2	What are the aims of the plan?	2
1.3	Where does the plan apply?	3
1.4	Exceptions to development standards	3
2	THE APPROVAL PROCESS	3
2.1	Getting approval – who should I contact?	3
2.2	What information is to be provided?.....	3
3	REQUIREMENTS.....	4
3.1	When must work be completed?.....	4
3.2	What are the structural requirements?.....	5
3.3	What bonds are payable?	6
3.4	What should be done to make the building structurally and aesthetically acceptable?	6
3.5	What is an acceptable design?	8
3.6	Do existing water supply or house drainage systems have to be replaced?	8
3.7	Where can a transportable or relocated dwelling be sited?	8
3.8	Will Council need to inspect the building prior to its removal from the original site?.....	8
3.9	At what stage may a building be placed on the site?	9
3.10	Will adjoining neighbours be notified of the application?.....	9
3.11	Are variations to this policy possible?	9
3.12	What are the applicant’s responsibilities when transporting or relocating the building?	9
3.13	Are other approvals required?	9

1 INTRODUCTION

The construction of transportable homes and the relocation of dwellings are affordable means of providing housing within the Cabonne Council area. However, it is important that when Council is determining applications for these dwellings that consideration be given to the appearance, state of repair and the structural adequacy of the buildings to be relocated to rural, town and village areas.

This Development Control Plan has been prepared in order to address the issues associated with transportable and relocatable dwellings in the Council area.

1.1 What are relocatable and transportable dwellings?

A **transportable dwelling (manufactured dwelling)** is a self-contained dwelling (includes at least one kitchen, bathroom, bedroom and living area that also includes a toilet and laundry facilities) that is built off-site and then transported to site for installation. It is not a registrable moveable dwelling, and includes any associated structures that form part of the dwelling.

Relocatable building (second-hand/recycled building): A relocatable building includes a dwelling or other structure that is intended to be used as a dwelling that is to be moved from one site to another, but does not include a structure defined as a manufactured dwelling under the Local Government Act 1993. This includes the partial dismantling of the structure and re-erection at a different site.

1.2 What are the aims of the plan?

- To control and regulate the standard of transportable and relocated dwellings within the whole of Cabonne Shire area.
- To ensure that relocated dwellings are re-instated to the satisfaction of Council, and complement and enhance the overall amenity and character of the area where they are to be located.
- To advise the applicant of the requirements to complete the reinstatement of the relocated dwelling to an acceptable standard within a reasonable period.
- To permit Council to recover cost from the applicant for the removal of the dwelling if it does not comply with the standards and requirements set by this Development Control Plan and the repair to Council's roads should damage occur in transport of the building.

- To establish guidelines for the relocation of dwellings from either within or without the Council area to a new site within the Council area.
- To ensure transportable and relocatable dwellings are sound, safe and of a standard suitable for transportation.
- To inform intending purchasers of transportable and second-hand dwellings of the requirements for the proposed construction or relocation of buildings.

1.3 Where does the plan apply?

The plan applies to the Cabonne local government area.

1.4 Exceptions to development standards

Any exception from a development standard contained in this development control plan must be made in writing explaining the reason for the exception sought.

Determination of development applications involving exceptions to development standards for any building design element in relation to floor plan, floor area and building materials will be made by the Deputy General Manager Cabonne Services.

Any exception to development standards outside the above criteria will need to be considered for determination at a council meeting.

2 THE APPROVAL PROCESS

2.1 Getting approval – who should I contact?

The Environmental Services Department of Cabonne Council should be contacted for any development enquiries and applications.

2.2 What information is to be provided?

The erection of either a transportable or relocatable dwelling that has been removed and transported from another site or from another location on the same site shall be regarded as **being the erection of a new building**.

A Development Application shall be submitted to Council for any proposal to erect a transportable dwelling or relocate a second-hand dwelling, and should include:

- Address of the lot the dwelling is to be relocated/constructed upon;
- Application fee as determined by Council;

- A **Development Application form** with two copies of:
 - ❖ Site Plan showing existing structures, easements and distances to boundaries
 - ❖ Working drawings, including fully dimensioned elevations, sections, floor plans
 - ❖ Details and specifications of all new work including footings, repairs, alterations, renovations and the installation of services
 - ❖ Details of termite protection, bracing and tie down
 - ❖ Notification plan (A3 size) indicating site plan and external configuration of building
- **Owner's consent** on the application form where the owner is not the applicant
- In the case of a **second hand dwelling** details of:
 - ❖ Where it is to be relocated from,
 - ❖ Photographs showing all external walls,
 - ❖ A **certificate of inspection** by a person approved by the Director of Environmental Services as to the structural and aesthetic adequacy of the building prior to removal and also prior to removal of the structure from the vehicle at the site,
 - ❖ A **detailed professional building report** outlining all works to be carried out on the building to render it compliant with the current relevant performance provisions of the Building Code of Australia.
 - ❖ A **written schedule of work** (if building cannot be completed within the 6 month time limit). This schedule of work will have to be agreed upon by both the applicant and the Council prior to the submission of a Development application.

A Construction Certificate must also be obtained and in certain circumstances this may be applied for at the same time as the Development Application.

3 REQUIREMENTS

3.1 When must work be completed?

Once the transportable or relocated dwelling has been placed on site all work including external painting is to be completed within a period of six (6) months.

Relocatable dwellings should be completed in accordance with the following timetable:

- Building to be established on permanent foundations, piers etc within four (4) weeks of location on site.
- Building to be rejoined, if cut for transportation, and made weatherproof within four (4) weeks of location on site.

- Brick veneering, repairs to roofing, windows, doors, guttering etc to be completed within eight (8) weeks of placement on site.
- All external painting, paths, steps and all other work, including landscaping, required to complete the project to be carried out within twelve (12) weeks of delivery to site.
- Building to be painted and fitted out internally, all plumbing and electrical work completed and connection made to sewer septic tank, as appropriate, within twenty six (26) weeks of commencement.

If the scope of work cannot be completed within the time period of six (6) months, the applicant should provide a written schedule of work with the application, giving an undertaking to have completed all upgrading work by mutually nominated date. Such schedule of work should be agreed upon by Council and the applicant prior to submission of the development application.

If the building has not been completed in 6 months or the agreed time the applicant must submit to Council a written application giving the reasons why the dwelling has not been completed in the time specified and specifying the period when the building will be completed. If reasonable reasons are not given Council may commence legal proceedings under the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979 for not building in accordance with the approval.

3.2 What are the structural requirements?

The applicant shall submit to Council, prior to relocating a dwelling to the site, a certificate of inspection by a person approved by the Director of Environmental Services as to the structural and aesthetic adequacy of the building:

- Certifying that the existing building is able to withstand the wind loads and specifying any additional wind bracing and tiedown necessary to ensure the structural integrity of the relocated dwelling. This is only required where the dwelling is to be relocated into an area of high wind velocity; i.e. N2, N3, AS 4055-Wind Loads for Housing;
- Specifying the proposed method of rejoining the various sections of the structure. It should be noted that rejoining local bearing structural members by use of a cleat or fish plate connection is unacceptable in most circumstances;
- Specifying whether any dilapidated or rotted structural members or cladding is to be replaced;
- Specifying the method of support of any existing concrete floor/s within the building.

- Certifying (through an application to Council) that the structural integrity of the proposed building is sound upon arrival of the building on the site and immediately prior to its unloading on to the site

3.3 What bonds are payable?

No bonds are applicable for new transportable dwellings.

In the case of a ***second-hand dwelling***, the following bonds apply:

- A ***performance bond*** in an amount determined by Council's Management Plan must be submitted with the building application. This bond can either be monetary or in the form of a bank guarantee. The bank guarantee shall be released upon completion of the external surfaces of the building in accordance with the approved plans and specifications.

The bond will be refunded upon completion of the building to the satisfaction of the Director of Environmental Services. Should the dwelling not be completed in accordance with the programme for reinstatement set out in Point 3.1 of this Development Control Plan and conditions of consent, consideration will be given to act on the guarantee and such bond may be forfeited to Council.

- A ***road bond*** shall also be submitted to Council prior to the issue of a construction certificate.

Both bond sums are to be reviewed annually as part of Council's Management Plan.

3.4 What should be done to make the building structurally and aesthetically acceptable?

General Requirements

- External finishes are required to be compatible or complementary to surrounding development and the established character of the area. All external surfaces are to be repainted in the case of relocated homes.
- The sub-floor areas must be enclosed along the front and two sides using masonry or other materials approved by Council's Director Environmental Services. No timber or lattice slats will be permitted.
- In accordance with Council Policy: "Use of Colorbond in Visually Prominent Areas", developers are encouraged to construct in non-reflective materials. Where such a developer requests consent to construct a zincalume building and/or roofing, such applications are to be reported to Council for determination with

respect to the impact to the amenity of the locality. Colorbond or painted finishes are preferred for buildings with a metal roof.

Relocatable Dwellings

- The building is to be clad with either hardiplank, hardiflex sheeting, aluminium cladding or timber cladding acceptable to the Director Environmental Services.
- Prior to the building being relocated all materials containing asbestos are to be removed and disposed of in accordance with the requirements of the Workcover Authority.
- Stumps may be of timber, steel or concrete. All timber stumps and sole plates to be of hardwood approved by the Director Environmental Services. No second-hand wood stumps or sole plates to be used.
- Flat fibre cement sheeting is to be removed and replaced with an approved external cladding.
- Any damaged or rusted gutters or downpipes are to be replaced with new materials to match existing.
- If more than 10% of roofing sheets, gutters, ridge caps or flashings are affected by rust then those sheets or materials must be replaced with new roofing materials to match existing.
- All damaged sections of external wall cladding and roof sheeting with new material to match existing.
- Any defective, deteriorated or otherwise damaged materials, structural components or cladding are to be replaced.
- Where there is an existing concrete floor within the building the slab is to be demolished or structural engineer's details of the method of support are to be submitted.
- Any damaged tiles to be replaced with new tiles of the same colour and design as the existing tiles.
- All external items (architraves, fascias, barge boards etc) are to be replaced with new material where necessary due to damage incurred in transit, splitting, rot or other reason, to match existing.
- All windows and openings are to comply with the Building Code of Australia.
- All broken glass in the dwelling is to be replaced, all windows and doors to open freely and locks and catches are to be easily operable.
- Cement tiled roofs shall be replaced with new material being either clay tiles or Colorbond sheeting.

- Clay tiled roofs shall be cleaned to the satisfaction of the Director Environmental Services.

3.5 What is an acceptable design?

The design of the building must be compatible with the existing character of the area and surrounding development and must have an aesthetically pleasing and professionally finished appearance. It may be necessary to add to the building or change the design of the proposed relocated dwelling. For example, a flat roof may have to be replaced with a pitched roof or a verandah/awning may be attached to enhance or add character to the relocated dwelling so that it is compatible with the existing streetscape or the character of an area.

The following *minimum requirements* are to be met:

- ❖ The longer elevation is to face the road frontage, unless otherwise approved by the Director Environmental Services.
- ❖ The minimum internal floor area is to be not less than sixty (60) square metres.
- ❖ The building is to be a minimum width of six (6) metres.

3.6 Do existing water supply or house drainage systems have to be replaced?

In the case of relocatable dwellings, existing water supply pipes, house drainage pipes and fittings may be reused provided that:-

- the system complies with the current standards; and
- a pressure test is carried out by a licensed plumber and any defective pipes and fittings are repaired or replaced prior to connection to the water supply or sewerage system.

3.7 Where can a transportable or relocated dwelling be sited?

The dwelling is to be sited in accordance with Councils setback requirements as stipulated in Council's Development Control Plans and policies. Applicants are required to contact Council Officers to determine the building line and setback requirements for each property.

3.8 Will Council need to inspect the building prior to its removal from the original site?

The inspection of the building will not be necessary where sufficient information is provided with the development application to satisfy the Council of the suitability of the building to be placed on site.

In the case of relocatable dwellings, Council reserves the right to inspect the building in its original location and to charge fees for the purpose of recovering costs. The full cost of this inspection is to be borne by the applicant.

Inspection fees are to be determined on a case to case basis, depending on where the house is to be relocated from and what mode of transport is to be used.

3.9 At what stage may a building be placed on the site?

Both the Development Approval and the Construction Certificate must be issued before the house can be placed on the site. An occupation certificate must be issued after the building has been completed, prior to occupation of the dwelling.

3.10 Will adjoining neighbours be notified of the application?

Notice of the application will be given to persons who appear to the Council to own the land adjoining the land to which the application applies, if in Council's opinion, the enjoyment of the adjoining land may be detrimentally affected by the proposal after its erection. Other affected owners may be notified should Council consider that the proposal is detrimental to the amenity of their land.

3.11 Are variations to this policy possible?

Council may consider any proposal or request for a variation of this policy where it considers that there are exceptional circumstances. A written submission, outlining the exceptional circumstances, must be made with the development application. Failure to submit this information with the development application or prior to the application being determined may result in the application being refused.

3.12 What are the applicant's responsibilities when transporting or relocating the building?

The applicant is responsible for any damage to Council or private property and is to ensure that the building is placed on site and completed in accordance with the approval.

3.13 Are other approvals required?

The applicant is to ensure that all additional approvals, particularly relating to the transportation of the building, as required by other authorities are obtained prior to the relocation of the building.

These authorities include:

NSW Roads and Traffic Authority

NSW Police

Electricity Supply Authority

DISCLAIMER

The Council at all times reserve the right to serve orders and require the building to be removed from the site, in the circumstances where damage sustained by the dwelling during sectioning, transport or re-erection renders the building to be, in the opinion of the Council, of an unacceptable standard for relocation to the site.