

Transported & Relocated Dwellings Plans

Introduction

This is a Local Planning Policy (LPP) prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This policy seeks to set out the objectives and criteria under which the Shire will support relocated dwellings.

Objective

- To provide guidance on the standards of building construction and appearance required for transportable or relocated dwellings.
- To define guidelines by which the Council will assess proposals for the placement of transported dwellings on land within the Shire of Toodyay.
- To ensure that the amenity and appearance of the locality in which the transportable dwelling will be situated is maintained.

Scope

This policy provides information and guidance on the placement of new and second-hand transported dwellings on land within the Shire of Toodyay. Relocated dwellings provide an alternative and affordable housing option.

Definitions

Term	Definition
Act	<i>Planning and Development Act 2005</i>
Asbestos	Asbestos is a naturally occurring fibrous silicate mineral. There are six types, all of which are composed of long and thin fibrous crystals, each fibre being composed of many microscopic "fibrils" that can be released into the atmosphere by abrasion and other processes.
Building Code of Australia (BCA)	is a set of two documents that forms part of the National Construction Code ("NCC") that includes the Plumbing Code of Australia, a series of documents published by the Australian Building Codes Board ("ABCB") to provide a nationally consistent framework for the construction of buildings and structures throughout Australia.
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local</i>

Term	Definition
	<i>Government Act 1995 and under the Shire's Standing Orders Local Law 2008.</i>
New Transported Dwelling	means any structure that is prefabricated at any place other than on the site upon which it is to be erected.
Regulations	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Second-hand Transported Dwelling	A residential dwelling which has previously been constructed and occupied (whether within the district or elsewhere) which is capable of being transferred and reconstructed for use as a residential dwelling.
Shire	the Shire of Toodyay.
Structural Engineer	Analyse, design, plan, and research structural components and structural systems to achieve design goals and ensure the safety and comfort of users or occupants

Policy Statement

The utilisation of 'new' transported dwellings for residential development is of far less concern than those that are second-hand, particularly with respect to the age and condition of the structure. As the development implications of structural integrity, suitability and compatibility of a new dwelling is far less, the policy requirements are minimal in terms of dealing with applications to achieve similar outcomes as that applicable to traditional single housing.

1. Application Requirements

Planning Consent for the development of a new transported dwelling will be granted subject to:

1.1 New Transported Dwellings

The building being of a satisfactory standard and the architectural design and external appearance is compatible with the building standards, design, and character of existing housing in the immediate locality of the proposed development and will not detrimentally affect the character or amenity of the area.

All applications to develop a transported dwelling within the Shire shall include the following information:

- (a) An application for planning approval and the payment of the required planning fees.
- (b) Details of where the transported or relocated dwelling is to be removed from.

- (c) Detailed plans of the subject building and a comprehensive site plan indicating the proposed location of the building or identified building envelope, where applicable.

1.2 **Second-Hand Transported Dwellings**

The additional requirements are:

- (a) Recent photographs of every external elevation of the proposed dwelling. The photographs shall clearly indicate its current design and condition.
- (b) Certification from a Structural Engineer stating that the structure is suitable or relocation, appropriate for the conditions of the Shire and structurally sound.
- (c) Detailed specifications on the works to be undertaken to the building to render it compliant with the Building Code of Australia.
- (d) Specification on the works to be undertaken on the dwelling, including any modifications and additions to the dwelling and the materials and colours to be used.
- (e) Details of how it is proposed to transport and re-erect the building; and
- (f) A detailed time frame for the relocation of the proposed dwelling and any proposed works.

2. **Minimum Design Requirements**

- 2.1 The approval of transported dwellings will only be considered if the following design standards may be achieved:
 - (a) The exterior cladding and roof materials shall be in good condition and the proposal includes improvement works to the exterior of the building, including repainting, re-cladding as necessary and architectural detailing, such that the proposed dwelling will be in keeping with the amenity of surrounding area; and
 - (b) The external finishes, bulk, scale, and design of the house are such that it will not have a detrimental impact upon the amenity of the area or landscape into which it is being relocated.
- 2.2 Where any material containing asbestos fibres remains in or on the dwelling, including cement asbestos roofing or cladding, roof insulation or for any other purpose, such material shall be removed prior to the building being transported within or into the Shire. Certification of asbestos removal to be provided with application. This certificate shall occur at the proponent's expense.
- 2.3 A transported dwelling will only be approved if certification is received from a Structural Engineer that states the dwelling is structurally sound, is suitable for transport and is appropriate for the conditions of the Shire. This inspection shall occur at the proponent's expense.
- 2.4 As part of the planning approval of a transported dwelling, the Council may impose conditions that require any works considered necessary to improve the appearance of the structure, including the addition of verandas, painting, landscaping, and the cover of stump areas.

- 2.5 The approval of a transported dwelling will require the lodgement of a cash bond or bank guarantee to the value of \$10,000, prior to the issue of a building permit. This bond will be used to remove the dwelling if the owner and/or builder default on the conditions of this policy, the development approval, or any conditions of the Building Permit. The bond will be held until the satisfactory completion of the Schedule of Works.
- 2.6 A signed statutory declaration outlining a bonding agreement is to be entered into by the owner/s prior to issue of a building license. The agreement is to outline a staged repayment of the performance bond, as follows:
- 2.6.1 Stage One (Return of 25% of bond)
- (a) Dwelling correctly positioned on site, as per approved site plan (setback correct) in accordance with the Planning Approval.
 - (b) Dwelling is correctly positioned, and site filled, drained, and graded satisfactorily, such as it is structurally adequate in accordance with the engineer's certification.
 - (c) Dwelling is up to lock-up stage (all external windows, doors and fittings/fixtures installed/repaired).
- 2.6.2 Stage Two (Return of second 25% of bond)
- (a) All gutters, fascia and downpipe work completed.
 - (b) All roof end/roofing work is completed (flashings on ridge and gable ends installed).
 - (c) All external surfaces to be painted to a tradesman like standard in accordance with the Planning & Building Approvals (including wall, doors, window surrounds, sills).
- 2.6.3 Stage Three (Return of remaining 50% of bond)
- (a) Compliance with all conditions of planning approval.
 - (b) Approved effluent disposal system installed. System has been inspected by Council Health Officer and a permit to use has been issued.
 - (c) Completion and certification of all electrical work.
 - (d) Completion and certification of all plumbing work.
 - (e) All wet area tiling completed in accordance with the Building Code of Australia
 - (f) Kitchen fit-out completed (cupboards/benches & stove/hotplate installed).
 - (g) Building has reached practical completion.

Note: *The agreement is to clearly state that should stage one and two completion is not reached within 9 months of the building's placement on site or Stage Three completion not reached within 24 months of issue of a building permit, then the bond monies are to be forfeited to the Shire of Toodyay and the building removed from the site. Unless*

applicant can demonstrate key supplies or contractors cannot be sourced in the timeframe'.

- 2.7 The provisions of this policy shall not excuse compliance with any other legislation, policy or requirement that may apply to the proposed development.
- 2.8 The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical, or such variation is warranted in the circumstances of the case.

Reference Information

Nil.

Legislation

- [Planning and Development Act 2005](#)
- [Planning and Development Regulations 2009](#)
- [Planning and Development \(Local Planning Schemes\) Regulations 2015](#)
- [Shire of Toodyay Local Planning Scheme](#)

Associated documents

Nil.

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