



**Bayside Council**

Serving Our Community

# **Moveable Dwellings Policy**

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Moveable Dwellings Policy

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# 1 Introduction

## 1.1 Background

Landowners are required to abide by the conditions outlined in this policy for family members to live in a moveable dwelling (i.e. caravan) during the construction / building / rebuild / substantially altering of a dwelling in the Bayside area.

Occupation of moveable dwellings (on-site caravans) located in approved Caravan Parks must comply with all requirements of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

The installation of a moveable dwelling on private property is governed by Part 3 – Caravan Parks, Camping Grounds and Moveable Dwellings of the Local Government (Manufactured Home Estates, Camping Grounds and Moveable Dwellings) Regulation 2005 and Clause 68, Part A1 of the Approvals Table of the Local Government Act 1993.

## 1.2 Definitions

### ***Moveable dwelling***

In this policy, **a *Moveable dwelling*** means exclusively a caravan that is designed so as to be capable of being registered (within the meaning of the Road Transport Act 2013) as a trailer, but does not include a camper trailer and other types of moveable dwellings that are defined in the Local Government Act 1993.

## 1.3 Policy statement

Bayside Council is committed to assisting residents in temporary accommodation on-site while major residential building is being undertaken.

## 1.4 Scope of policy

This policy applies to all landowners in the Bayside area that require a permit from Bayside Council for the occupation of a moveable dwelling, during the construction / building / rebuild / substantially altering of a dwelling.

# 2 Application / Conditions

## 2.1 Landowner's site

The installation and occupation of a moveable dwelling (caravan) by owners on-site whilst their dwelling is being built / rebuilt / substantially altered be permitted, subject to the following conditions being met:

- 1 The submission and approval of an application for a moveable dwelling under Clause 68, Part A1 of the Approvals Table of the Local Government Act 1993. The accompanying relevant fee in accordance with Council's Fees & Charges must also be paid.

- 2 The landowner applying for an approval under Section 68 to occupy a moveable dwelling must hold a current development application and construction certificate for the erection of a dwelling on the subject land.
- 3 Only the landowner or members of his or her family may occupy the moveable dwelling.
- 4 Moveable dwelling (caravan) is to be located in the rear of the yard, or where due to irregular shape of land or other site – specific circumstances, in another suitable location with the approval of Council with Council being satisfied that the moveable dwelling (caravan) can be removed from the site on completion of the dwelling.
- 5 Moveable dwellings on vacant land must observe the same requirements that apply to the erection of a dwelling with respect to boundary setbacks, car parking, and connection to services – including utilities.
- 6 The occupation of a moveable dwelling is subject to the provision of adequate toilet, laundry facilities, washing and bathing facilities, and the appropriate disposal of all wastes arising from the sanitary fittings.
- 7 Ready and convenient access to appropriate washing and toilet facilities being maintained to the satisfaction of Council's Environmental Health Officer.
- 8 The moveable dwelling must be connected to Sydney Water's sewerage system.
- 9 Approval for the occupation of a moveable dwelling on a building site shall be for a maximum of twelve (12) months.
- 10 A bond, in accordance with Council's Fees & Charges, may be required by Council; such bond to be forfeited if the moveable dwelling (caravan) is not vacated and removed from the landowner's site within twelve (12) months.
- 11 The landowner applying for an approval under Section 68 shall provide Council with notification prior to occupation of the moveable dwelling, so that an inspection can be undertaken.
- 12 The owner of the moveable dwelling must comply with the standards prescribed under Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, for long term residence of moveable dwellings.

## **2.2 Caravan Park site**

Where moveable dwellings are located in approved caravan parks all requirements of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 and any specific conditions of approval must be strictly adhered to.

## **3 Prohibition**

Moveable dwellings used for human habitation in locations or on land in circumstances other than those detailed in (2.1) to (2.2) above are not permitted.

## 4 Policy implementation

### 4.1 Policy responsibilities

The Manager Compliance is responsible for the implementation, application and review of the policy across the organisation. In particular the Manager Compliance is responsible for:

- Providing a point of contact about the meaning and application of the policy
- Updating the policy when necessary to ensure is current
- Implementing communications, education and monitoring strategies
- Ensuring policy is included on Council's policy register and record management system
- Investigating breaches and enforcing compliance.

The Manager Development Services is responsible for the approval aspects of the policy.

### 4.2 Breaches

If there is a breach of any approval, enforcement action may be undertaken under the Local Government Act 1993.

## 5 Document Control

### 5.1 Review

This policy is scheduled to be reviewed every four (4) years.

The Manager Governance & Risk may approve non-significant and/or minor editorial amendments that do not change the policy substance.

### 5.2 Related documents

- Local Government Act 1993
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

### 5.3 Version history

This policy is based on a similar document of the former Rockdale City Council, last adopted on 15 November 1989, without any significant policy change.

Version	Release Date	Author	Reason for Change
1.0	10/01/2020	Manager Compliance	Revised, updated & harmonised document