



Shire of Derby / West Kimberley

TRANSPORTABLE / RELOCATED DWELLINGS POLICY

POLICY APPLICATION

This policy applies to applications for planning consent for residential development within the town site areas covered by Town Planning Schemes No. 5 and 7 (TPS No. 5 / 7) and Interim Development Order No. 7 (IDO No. 7). The policy should be read, and operates in conjunction with the Schemes and IDO No. 7, which also set out the application requirements for such development.

POLICY INTRODUCTION

Council recognises that transportable buildings for residential purposes are a valid low-cost alternative to on-site built dwellings. The planning implications with respect to the use of 'second-hand' dwellings as opposed to 'new', is addressed in the policy and the planning consent required to be issued.

As distinct from the above, but of a similar nature, relocated houses also provide another residential development option. The implications for relocated houses are even greater than that for 'second-hand' transportable dwellings. Whatever the housing option, transportable or relocated, the issue is fundamentally one of structural integrity, suitability and compatibility with the housing stock established in the locality.

POLICY STATEMENT

To provide the opportunity for transportable and relocated dwellings to be utilised as a reduced housing cost option in appropriate locations.

To identify those situations and localities where Council will not support applications for second-hand transportable and relocated dwellings.

To ensure that the structural integrity of the transportable or relocated dwelling is of a satisfactory standard and that the architectural design and external appearance is compatible with the building standards, design and character of existing housing in the immediate locality of the proposal and that it will not detrimentally affect the character or amenity of the area.

To provide guidance for applicants who wish to develop transportable or relocated dwellings in the area of policy application and for Council in determining such applications.

To provide the opportunity for residents and owners of land within the locality of the proposed development to make a submission to Council on any application for second-hand transportable or relocated dwellings.

POLICY DEFINITIONS

Extract - TPS No.5:

A **transportable building** means any structure that is prefabricated at any place other than on the site upon which it is to be erected, but does not include a 'Kit Home'.

A **second-hand building** means any building or structure which does not consist of substantially all new material and may be transported or moved to a site for the purpose of re-erection.

For the purpose of policy:

A **new transportable dwelling** refers to a prefabricated residential dwelling being delivered direct from the manufacturer's premises to the site on which it is to be established.



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A **second-hand transportable dwelling** refers to a prefabricated residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

A **relocated dwelling** refers to a residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

1. DEVELOPMENT APPLICATIONS – PLANNING CONSENT

All development of land within the defined area of a scheme or Interim IDO requires planning consent and is subject to the requirements and provisions of the scheme or IDO. In addition to a planning consent, a building license is also required to be obtained prior to the location of the dwelling on the property.

The proposed use of transportable and relocated dwellings for residential purposes requires a development application to be submitted and is subject to the following policy requirements and development criteria.

2. NEW TRANSPORTABLE DWELLINGS

The utilisation of 'new' transportable 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.

Planning consent for the development of a new transportable dwelling will be granted subject to:

- a) 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.
- b) Full length verandahs being provided at the front and rear of the dwelling.
- c) Carport or garage being provided on site or attached to the dwelling.
- d) A bond of \$5,000 per dwelling to be paid prior to the issue of a building license. The bond will be held until the satisfactory completion of the schedule of works.

3. SECOND-HAND TRANSPORTABLE AND RELOCATED DWELLINGS

Applications for planning consent will be subject to advertising pursuant to TPS No. 5 in accordance with Clauses 7.3.3 (a) & (b) and thereafter referred to Council for determination.

In support of an application for planning consent, the following additional information and documentation is required:

- a) Photographs of each elevation of the dwelling;
- b) A schedule of works for the proposed changes and upgrading of the dwelling;
- c) List of external finishes; and
- d) Structural certification in respect to the compliance of the dwelling with the Building Code of Australia (BCA) and the capacity of the dwelling to be moved.



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Although Council recognises that second-hand transportable and relocated dwellings may be a suitable housing option, these developments will not be approved in the following locations:

- a) Town Centre zoned area of TPS No.5;
- b) New Department of Land Administration (DOLA) subdivision area bounded by Mimosa St, Ashley Street and Rowan Street; and
- c) Residential land fronting Loch Street, Clarendon Street and the Derby Highway within the TPS No.5 area.

In respect to assessing the architectural design and external appearance of the dwelling the following criteria shall be used:

- a) Similarity or compatibility of quality and condition of the external appearance of the dwelling relative to those established in the locality.
- b) Age of the dwelling relative to that generally prevailing in the locality.
- c) Size of the lot on which it is proposed to locate the dwelling, relative proximity to other dwellings and visibility from public spaces.

Proposed landscaping to be undertaken in conjunction with the location of the dwelling on the site. Council may grant a planning consent to permit the erection or placement of a second-hand transportable or relocated dwelling on a residential lot, subject to:

- a) The structural integrity of the dwelling being satisfactory.
- b) The dwelling being of a satisfactory standard and that 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 that in Council's opinion, will not detrimentally affect the character or amenity of the area.
- c) A proposed schedule of works is to be provided for the upgrade of the dwelling in terms of its structural integrity and appearance prior to the issue of a building license.
- d) The schedule of works for the upgrade of the dwelling is required to be completed within three months of the location of the dwelling on-site and shall require the lodgment of a bond as security against compliance with the schedule of works.
- e) A bond per dwelling (as provided for in the annually adopted fees & charges schedule) is to be paid prior to the issue of a building license. The bond will be held until the satisfactory completion of the schedule of works.
- f) Where a dwelling contains asbestos, the applicant is required to provide advice on the appropriate measures and work to be undertaken for the transportation and establishment of the relocated dwelling in accordance with the requirements of the *Public Health Act 2016*. This information is required to be submitted with the documentation for a building license.

A landscape plan is required to be submitted prior to the issue of a building license to ensure the development of the site does not have an adverse impact on the streetscape.

The dwelling is to be secured to the footings immediately on its relocation to the site.

No relocation of a dwelling is to be undertaken during the cyclone period in the wet season being specifically, 1 November to 30 April of the year.



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Policy Details			
Original Adoption date:	30 November 2000	Review Frequency (Annual/Bi-annual):	2 years
		Next Review Due:	November 2027
Policy Implementing Officer or Team:	Manager Development Services	Policy Reviewer:	Director Community Planning
Legislative Head of Power (Act, Regulation, or Local Law):	Town Planning Scheme No.5 (Derby) Town Planning Scheme No.7 (Birdwood Rise) Interim Development Order No.7 (Fitzroy Crossing/Camballin)		
Related Documents (other Policies, Operational Procedures, Delegations, etc.):	Delegation 2.1.1 Grant a Building Permit Delegation 2.1.3 Occupancy Permits or Building Approval Certificates Delegation 9.2.1 Town Planning Scheme No's 5, 7 and Local Planning Scheme No. 9 following final approval and gazettal: Determination of Applications Delegation 9.2.2 Interim Development Order No. 9: Determination of Applications		
Version Control Council Meeting Review Details:			
Review #:	Council Meeting Date:	Item/Resolution#:	
1.	28 March 2019	Item 10.1 Res. 12/19	
2.	24 June 2021	Item 11.2 Res. 57/21	
3.	29 June 2023	Item 12.3 Res. 70/23	
4.	27 November 2025	Item 14.1 Res. 46/25	