



New South Wales

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

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

KERRY HICKEY, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to remake and consolidate, with several changes, the *Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* and the *Local Government (Manufactured Home Estates and Manufactured Homes) Regulation 1995*. Those Regulations will be repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation relates to the following matters under the *Local Government Act 1993*:

- (a) the granting of approvals to operate manufactured home estates, caravan parks and camping grounds,
- (b) requirements concerning manufactured home estates, caravan parks and camping grounds (including land and site requirements, setbacks, roads and utility services), compliance with which is a condition of such an approval,
- (c) requirements concerning manufactured homes, relocatable homes and associated structures (including requirements as to design, construction and installation), compliance with which exempts the need for an approval to install a manufactured home or associated structure in a manufactured home estate,
- (d) requirements concerning caravans, tents and annexes, compliance with which is a condition of approval of their installation.

This Regulation refers to the *Australian Model Code for Residential Development* or *AMCORD—A National Resource Document for Residential Development*, the *Building Code of Australia*, the *Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks*, the *Floodplain Development Manual: the management of flood liable land*, the *NSW Code of Practice—Plumbing and Drainage*, the *Australian Drinking Water Guidelines* and various Australian Standards.

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

Explanatory note

This Regulation is made under the *Local Government Act 1993*, including sections 98 (2) (concerning conditions of approval) and 748 (the general regulation-making power).

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 1 Grounds and Moveable Dwellings) Regulation 2005

Part 1 Preliminary

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

under the

Local Government Act 1993

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*.

2 Commencement

This Regulation commences on 1 September 2005, except for clauses 9 (4) and 74 (7), which commence on 1 March 2006.

Note. This Regulation replaces the *Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* and the *Local Government (Manufactured Home Estates and Manufactured Homes) Regulation 1995* which are repealed on 1 September 2005 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Object

The object of this Regulation is to provide opportunities for affordable alternatives in short-term and long-term accommodation:

- (a) by continuing in force (in amended form) the standards for the design of manufactured home estates, caravan parks and camping grounds established by the former Regulations, and
- (b) by continuing in force (in amended form) the standards for the design and construction of manufactured homes and other moveable dwellings and for their siting established by the former Regulations, and
- (c) by continuing in force (in amended form) the standards to promote the health, safety and amenity of the occupiers of manufactured homes and other moveable dwellings established by the former Regulations.

4 Definitions

- (1) In this Regulation:

access road means a road (other than a public road) situated within a manufactured home estate, a caravan park or a camping ground.

AMCORD means the *Australian Model Code for Residential Development*, which is contained in the document entitled *AMCORD—A National Resource Document for Residential Development*, as published in 1995 by the Commonwealth Department of Housing and Regional Development.

annexe means a moveable dwelling that:

- (a) is an attachment to a relocatable home or caravan, and
- (b) is used as an extension of the habitable area of the relocatable home or caravan, and
- (c) is capable of being erected or removed within 24 hours.

approval:

- (a) in Subdivision 2 of Division 2 of Part 2 and Subdivision 2 of Division 2 of Part 3—means an approval of the kind referred to in item 1 of Part A of the Table to section 68 of the Act, and
- (b) in the rest of Part 2—means an approval of the kind referred to in item 3 of Part F of that Table, and
- (c) in the rest of Part 3—means an approval of the kind referred to in item 2 of Part F of that Table.

Note. The terms **associated structure** and **building** are defined in the Act.

Building Code of Australia has the same meaning as it has in the *Environmental Planning and Assessment Act 1979*.

bush fire prone land, in relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area.

bush fire prone land map for an area means a map for the area certified as referred to in section 146 (2) of the *Environmental Planning and Assessment Act 1979*.

camp site means an area of land within a camping ground on which a campervan or tent may be installed or, in the case of a primitive camping ground, on which a campervan, tent or caravan may be installed, and that is designated as a camp site by the approval for the camping ground.

campervan means a moveable dwelling (other than a caravan) that is designed so as to be registrable as a motor vehicle under the *Road Transport (Vehicle Registration) Act 1997*, and includes a camper trailer.

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Clause 4 Grounds and Moveable Dwellings) Regulation 2005

Part 1 Preliminary

caravan means a moveable dwelling that is designed so as to be registrable as a trailer under the *Road Transport (Vehicle Registration) Act 1997*, but does not include a camper trailer.

certificate of completion means a certificate issued by a council under clause 69.

community amenity means a space or facility that is required (by this Regulation or otherwise) to be provided within a manufactured home estate, caravan park or camping ground that is used or intended to be used:

- (a) for the purposes of administration or servicing of that manufactured home estate, caravan park or camping ground, or
- (b) for recreational or other communal purposes serving the interests of the occupiers of manufactured homes within a manufactured home estate or moveable dwellings within a caravan park or camping ground,

but does not include any car parking space.

community building means a building (such as a shower block, toilet block or laundry block) that is used or intended to be used in connection with a community amenity, and includes a building that is to be used as a manager's or caretaker's office or residence.

community map:

- (a) in relation to a manufactured home estate—means a scale map that accurately shows the road reserves, the community amenities and the dwelling sites within the manufactured home estate, and
- (b) in relation to a caravan park or camping ground—means a scale map that accurately shows:
 - (i) the access roads, community amenities and community buildings within the caravan park or camping ground, and
 - (ii) the number, size, location and dimensions of dwelling sites or camp sites within the caravan park or camping ground, and
 - (iii) in relation to a dwelling site or camp site within the caravan park or camping ground, the particular off-site parking space or spaces (if any) designated for use by the occupier of the dwelling site or camp site.

compliance plate means a compliance plate referred to in clause 67 or 159.

dwelling site:

- (a) in relation to a manufactured home estate—means an area of land within the manufactured home estate that is designated as a dwelling site by the approval for the manufactured home estate, and
- (b) in relation to a caravan park—means an area of land within the caravan park on which a moveable dwelling may be installed and that is designated as a dwelling site by the approval for the caravan park.

Electricity Code of Practice means the document published by the Department of Energy, Utilities and Sustainability under the title *Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks*, as in force on 1 September 2005.

engineer's certificate means a certificate issued by a practising structural engineer under clause 51, 143 or 166.

ensuite facility, in relation to a dwelling site, means a building, part of a building or an associated structure that contains at least a shower, toilet and handbasin, is provided for the exclusive use of the occupiers of the site and is located on or adjacent to the site.

flexible annexe means an annexe that (apart from any rigid support frame and any floor, or any door, window or other securable opening, constructed of non-flexible material) consists entirely of canvas or other flexible material.

flood liable land means land that has been determined by the council to be flood liable land, having regard to the principles contained in the Floodplain Development Manual.

Floodplain Development Manual means the manual entitled *Floodplain Development Manual: the management of flood liable land* published by the Department of Infrastructure, Planning and Natural Resources, as in force from time to time.

former Regulations means the *Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* and the *Local Government (Manufactured Home Estates and Manufactured Homes) Regulation 1995*.

habitable room has the same meaning as it has in the *Building Code of Australia*.

holiday van means a moveable dwelling (other than a tent) that is or usually is continuously located on a short-term site and used primarily by its owner for occasional occupancy for holiday purposes.

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Clause 4 Grounds and Moveable Dwellings) Regulation 2005

Part 1 Preliminary

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.

long-term site means a dwelling site that is specified in the approval for a caravan park as being a long-term site.

major access road means an access road serving more than 30 dwelling sites within a manufactured home estate.

major section means 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 Act.

Ministerial specifications means specifications established by an order in force under clause 39 or 133.

minor access road means an access road serving no more than 30 dwelling sites within a manufactured home estate.

Note. The term **moveable dwelling** is defined in the Act.

park van means a moveable dwelling (other than a tent), whether or not capable of being registered under the *Road Transport (Vehicle Registration) Act 1997*, that:

- (a) is or usually is continuously located on a short-term site, and
- (b) is provided for hire, and
- (c) is used by a site occupier other than the owner of the moveable dwelling primarily for holiday purposes.

Plumbing and Drainage Code of Practice means the code of practice published by the Committee on Uniformity of Plumbing and Drainage in New South Wales under the title *New South Wales Code of Practice—Plumbing and Drainage*, as in force from time to time.

practising structural engineer means a person who holds (or who at all relevant times held) qualifications in structural engineering acceptable to the Institution of Engineers, Australia, for admission as a corporate member.

primitive camping ground means a camping ground that is specified in its approval as being a primitive camping ground.

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 (Vehicle Registration) Act 1997*.

rigid annexe means an annexe that is not a flexible annexe.

road reserve means such part of a manufactured home estate (excluding any part of a dwelling site) as is reserved for the purposes of access roads, footpaths, parking spaces and associated landscaping.

self-contained moveable dwelling means a moveable dwelling that contains its own shower and toilet facilities.

short-term site means a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a caravan park as being a short-term site.

site boundary, in relation to a caravan park or camping ground, means any boundary of a dwelling site or camp site other than a boundary fronting onto an access road.

storey, in relation to a relocatable home, associated structure or rigid annexe, means the space situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above.

the Act means the *Local Government Act 1993*.

- (2) Notes included in this Regulation do not form part of this Regulation.

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Clause 5 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

Part 2 Manufactured home estates and manufactured homes

Division 1 Application of Part

5 Application of Part

This Part applies to the operation of manufactured home estates, and to the installation of manufactured homes in manufactured home estates, but does not apply to the installation of manufactured homes elsewhere than in manufactured home estates.

Note. The installation of manufactured homes elsewhere than in manufactured home estates is governed by Part 3. That Part deals with relocatable homes, which includes a manufactured home.

Division 2 Approvals and exemptions

Subdivision 1 Operation of manufactured home estates

Note. Section 68 of the Act prohibits a person from operating a manufactured home estate without the prior approval of the council. Part 1 of Chapter 7 of the Act deals generally with the granting, amendment, extension, renewal, revocation and modification of approvals. Approvals may be granted subject to conditions, including conditions prescribed by the regulations. Breach of any such condition constitutes an offence under section 627 of the Act.

6 Factors for consideration before approval is granted

- (1) The council must not grant an approval to operate a manufactured home estate unless it is satisfied that the manufactured home estate will be designed, constructed, maintained and operated in accordance with the relevant requirements of Division 3.
- (2) In deciding whether or not the approval for the manufactured home estate should allow the installation of a manufactured home on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.

7 Matters to be specified in approval

In addition to any other matters it must contain, an approval to operate a manufactured home estate must specify, by reference to a plan, the number, size and location of the dwelling sites allowed by the approval.

8 Conditions of approval

An approval to operate a manufactured home estate is subject to the condition that the manufactured home estate is designed, constructed, maintained and operated in accordance with the requirements of Division 3.

Note. The council may also impose conditions on the grant of an approval under section 94 of the Act.

Subdivision 2 Installation of manufactured homes and associated structures in manufactured home estates

Note. Section 68 of the Act prohibits a person from installing a manufactured home or associated structure on land without the prior approval of the council, except in so far as the regulations (among other instruments) allow a manufactured home or associated structure to be installed without that approval. Section 626 makes it an offence to fail to obtain such an approval. Breach of the conditions on which the installation of a manufactured home or associated structure is allowed constitutes an offence under section 627 of the Act.

9 Conditional exemption

- (1) The prior approval of the council is not required for:
 - (a) the installation of a manufactured home on land within a manufactured home estate, so long as:
 - (i) it is designed, constructed and installed in accordance with the relevant requirements of Division 4, and
 - (ii) it is not occupied by any person until a certificate of completion has been issued for it, or
 - (b) the installation of an associated structure on land within a manufactured home estate, so long as it is designed, constructed and installed in accordance with the relevant requirements of Division 4.
- (2) An exemption provided for by this clause applies in respect of the installation of a manufactured home only if such installation is carried out by or with the consent of the holder of the approval to operate the manufactured home estate concerned.
- (3) An exemption provided for by this clause does not apply to the installation of a manufactured home on flood liable land if the council has notified in writing the holder of the approval to operate the manufactured home estate concerned, before that installation, that the land is flood liable land.
- (4) An exemption provided for by this clause does not apply to the installation of manufactured homes, or associated structures, of more than one storey in height.

Note. By virtue of clause 2, clause 9 (4) commences on 1 March 2006.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 10 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

10 Installation on flood-liable land

- (1) In deciding whether to approve the installation of a manufactured home or associated structure in a manufactured home estate on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.
- (2) It is a condition of an approval to install a manufactured home or an associated structure on flood liable land that the manufactured home is designed, constructed and installed in a manufactured home estate in accordance with Division 4.

11 Installation of manufactured home or associated structure of more than one storey

In deciding whether to approve the installation in a manufactured home estate of a manufactured home or associated structure having more than one storey, the council must have regard to the likely impact on the amenity of any occupiers of any adjoining manufactured home and the amenity of any occupiers of land adjoining that manufactured home estate.

Division 3 Manufactured home estates

Subdivision 1 Land and dwelling site requirements

12 Minimum size of estate

A manufactured home estate must not have an area of less than one hectare or, if a lesser area is permitted by a relevant environmental planning instrument, that lesser area.

13 Community amenities

- (1) Of the total land area of a manufactured home estate:
 - (a) at least 10 per cent, or
 - (b) such lesser proportion (but not less than 6 per cent) as the approval for the manufactured home estate may allow, must be reserved for recreation or other communal activities.
- (2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.

14 Size of dwelling sites

A dwelling site must have an area of at least 130 square metres.

15 Site identification

- (1) A dwelling site must be numbered or identified and its site boundaries clearly delineated.
- (2) The site identification must be conspicuous.

Subdivision 2 Setbacks**16 Dwelling sites to have road frontage**

A dwelling site must have vehicular access to an access road.

17 Setbacks of community buildings

- (1) A community building must not be located closer than 10 metres to the boundary of a manufactured home estate, or to the boundary of a dwelling site, unless the approval for the manufactured home estate so allows.
- (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced, enclosed or otherwise treated.
- (3) A community building must not in any case be located closer than 2 metres to the boundary of a manufactured home estate or to the boundary of a dwelling site.

18 Setbacks of dwelling sites from road frontages

- (1) A dwelling site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the manufactured home estate unless the approval for the manufactured home estate so allows.
- (2) The approval for a manufactured home estate must not allow a lesser distance than 10 metres unless the council is satisfied that the dwelling site has been or will be properly screened, fenced, enclosed or otherwise treated.

19 Use of buffer zones

Nothing in this Part prevents land within a buffer zone arising from the setbacks required by this Subdivision from being used:

- (a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or
- (b) for any similar purpose allowed by the approval for the manufactured home estate.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 20 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

Subdivision 3 Roads**20 Entrance and exit roads**

- (1) A road that forms an entrance to or exit from a manufactured home estate must be at least 8 metres wide.
- (2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.
- (3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit may be specified in the approval for the manufactured home estate.

21 Width of roads

- (1) The width of the road reserve must be:
 - (a) at least 8.5 metres for a major access road, and
 - (b) at least 6 metres for a minor access road.
- (2) The width of the sealed portion of an access road must be:
 - (a) at least 6 metres for a major access road, and
 - (b) at least 4 metres for a minor access road.
- (3) If a minor access road exceeds 80 metres in length, a passing bay or bays must be provided within the road reserve.
- (4) Passing bays must be provided at intervals of not more than 100 metres.
- (5) The width of the sealed portion of an access road at any point at which there is a passing or parking bay must be:
 - (a) at least 8.5 metres for a major access road, and
 - (b) at least 6 metres for a minor access road.

22 Speed restrictions as part of road design

Access roads must be so designed as to limit the speed at which vehicles may travel on them to:

- (a) 30 kilometres per hour for major access roads, and
- (b) 15 kilometres per hour for minor access roads.

23 Visitor parking

- (1) A manufactured home estate must contain no fewer visitor parking spaces than the following:
 - (a) 8 spaces for a manufactured home estate containing not more than 35 sites,
 - (b) 12 spaces for a manufactured home estate containing more than 35 sites but not more than 70 sites,
 - (c) 16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,
 - (d) 20 spaces for a manufactured home estate containing more than 105 sites, plus one additional space for each additional 7 sites (or part of a site) over 140.
- (2) Each parking space is to have, at minimum, dimensions of:
 - (a) 5.4 metres by 2.5 metres, in the case of angle parking, and
 - (b) 6.1 metres by 2.5 metres, in any other case.
- (3) Visitor parking spaces must be clearly identified as such.

24 Visitor parking for people with disabilities

- (1) A manufactured home estate must contain at least one visitor parking space for people with disabilities.
- (2) A manufactured home estate that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites.
- (3) Such parking is to be provided in accordance with AS/NZS 2890.1:2004, *Parking facilities—Off street parking*.
- (4) Visitor parking spaces for people with disabilities must be clearly identified as such.
- (5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 23.

25 Road surfaces

All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the manufactured home estate, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.

26 Lighting

All access roads must be adequately lit between sunset and sunrise.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 27 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

Subdivision 4 Utility services

27 Water supply

- (1) A manufactured home estate:
 - (a) must be connected to a mains water supply, or
 - (b) must be provided with an alternative water supply service as specified in the approval for the manufactured home estate.
- (2) A dwelling site:
 - (a) must be connected to the water supply service for the manufactured home estate, and
 - (b) must be provided with a separate water meter and a separate water service isolating valve.
- (3) The water supply service must comply with:
 - (a) the Plumbing and Drainage Code of Practice, and
 - (b) the requirements of any relevant statutory body.
- (4) The water supplied for human consumption or domestic purposes must comply with the *Australian Drinking Water Guidelines* published in 2004 by the National Health and Medical Research Council.

28 Sewerage

- (1) A manufactured home estate:
 - (a) must be connected to a main sewer, or
 - (b) must be provided with an alternative sewage disposal system as specified in the approval for the manufactured home estate.
- (2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate.
- (3) The sewage disposal system must comply with:
 - (a) the Plumbing and Drainage Code of Practice, and
 - (b) the requirements of any relevant statutory body.

29 Drainage

- (1) A manufactured home estate must be provided with a stormwater drainage system as specified in the approval for the manufactured home estate.
- (2) A dwelling site:
 - (a) must be connected with the stormwater drainage system for the manufactured home estate, or

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- (b) must be provided with an on-site stormwater drainage system.
 - (3) A stormwater drainage system must comply with:
 - (a) the Plumbing and Drainage Code of Practice, and
 - (b) the requirements of any relevant statutory body.

30 Electricity supply

- (1) A dwelling site must be supplied with electricity from a reticulated electricity service by means of an electrical circuit connected to a separate electricity meter.
- (2) Any such electrical circuit must be installed in accordance with the requirements of AS/NZS 3000:2000, *Electrical Installations* (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005, except that the maximum capacity of the electrical circuit supplying a dwelling site need not be greater than 32 amperes if the site is provided with gas, whether by means of a reticulated gas service or by means of on-site gas containers.
- (3) If a dwelling site is provided with electricity otherwise than by way of direct connection to the local electricity supply authority's electricity main, the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail electricity supplier for the relevant district would have charged under a standard form customer supply contract for that supply during that period.

31 Telephone lines

Telephone services, if available, must be provided in such a manner that a telephone connection is available to each dwelling site within the manufactured home estate.

32 Common trenches

A common trench may be used for the installation of services in accordance with guidelines provided in AMCORD.

Subdivision 5 General

33 Garbage removal

Arrangements specified in the approval for the manufactured home estate must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 34 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

34 Fire hydrants

- (1) No part of a dwelling site or community building within a manufactured home estate may be situated more than 90 metres from a fire hydrant.
- (2) Any fire hydrant located within a manufactured home estate must:
 - (a) be a double-headed pillar-type fire hydrant, and
 - (b) be maintained to the standard specified in the approval for the manufactured home estate.

35 Buildings

- (1) A building must not be erected on a manufactured home estate unless the approval for the manufactured home estate so allows.
- (2) The approval for the manufactured home estate is to allow only the following kinds of buildings to be erected on a manufactured home estate:
 - (a) community buildings,
 - (b) brick or masonry walls in the form of separating walls between adjoining manufactured homes or in the form of external facades to manufactured homes.
- (3) The approval for a manufactured home estate is to allow the erection of a brick or masonry wall in the form of an external facade to a manufactured home only:
 - (a) if the dwelling site on which the manufactured home is situated is a neighbourhood lot within the meaning of the *Community Land Development Act 1989*, and
 - (b) the owner of the manufactured home is also the proprietor of the neighbourhood lot.

Note. The erection of a building (including a community building or brick or masonry wall) may require development consent under the *Environmental Planning and Assessment Act 1979*.

36 Use of manufactured home estates

- (1) A manufactured home estate must not be used:
 - (a) for any commercial purpose other than a manufactured home estate or an associated purpose, or
 - (b) for the manufacture, construction or reconstruction of moveable dwellings.
- (2) Nothing in this clause prevents a manufactured home from being used for exhibition purposes.

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- (3) This clause does not prevent the carrying out of work on a manufactured home that is installed in a manufactured home estate for the purpose of its renovation, maintenance or repair (such as painting, replacement of wall cladding or roof sheeting and the like).

37 Community map

The person who holds the approval to operate a manufactured home estate must provide the council with a copy of the current community map:

- (a) as soon as practicable after any amendment is made to the map, and
- (b) at such other times as the council may reasonably require.

38 Access to approval and community map

The holder of an approval to operate a manufactured home estate must ensure that copies of the following documents must be readily available for inspection without cost by any person in a location in the manufactured home estate specified in the approval for the manufactured home estate:

- (a) the approval for the manufactured home estate,
- (b) the current community map,
- (c) this Regulation.

Division 4 Manufactured homes and associated structures

Subdivision 1 General

39 Specifications for design, construction, installation, modification and extension of manufactured homes and associated structures

- (1) The Minister may, by order published in the Gazette, establish specifications (not inconsistent with this Division) for the design, construction, installation, modification and extension of manufactured homes and associated structures.
- (2) The specifications may adopt, with or without modification, the provisions of any rule, standard or code of practice.
- (3) Subject to this Division, a manufactured home or associated structure must be designed, constructed, installed, modified and extended in accordance with any specifications in force under this clause.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 40 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

40 Installation allowed only on dwelling sites

- (1) A manufactured home must not be installed in a manufactured home estate otherwise than on a dwelling site.
- (2) This clause does not apply to a manufactured home that is used solely for the purposes of a community amenity or as a manager's or caretaker's office or residence.

41 Manufactured homes to be constructed and assembled off-site

- (1) A manufactured home must not be installed on a dwelling site unless each major section of the home has been constructed and assembled at, and transported to the manufactured home estate from, a place of manufacture outside the manufactured home estate.
- (2) However, the fixing of cornices, the setting of wall lining joints, the fitting of skirting boards and architraves and the grouting of tiles may be done on the dwelling site.

42 Installation allowed only if dwelling site is properly serviced

A manufactured home must not be installed on a dwelling site unless the requirements of Division 3 have been complied with in relation to the site.

43 Density

No more than one manufactured home may be installed on a single dwelling site.

44 Setbacks for manufactured homes

A manufactured home must not be located:

- (a) closer than one metre to a road reserve, or
- (b) closer than 2 metres to the boundary of the manufactured home estate.

45 Site coverage

- (1) A manufactured home and associated structure must not be installed on a single dwelling site if the floor plan area of the manufactured home (together with that of any associated structure or other building or structure on the site) is more than two-thirds of the area of the site.
- (2) For the purposes of this clause:
 - (a) the floor plan area of a manufactured home is the area occupied by the home, excluding the area of any associated structure forming part of the home that is not roofed, and

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- (b) the floor plan area of any associated structure not forming part of the manufactured home is the area occupied by the structure, excluding any area that is not roofed, and
 - (c) if there is no carport or garage on the dwelling site, an area of 18 square metres must be added to the floor plan area of the manufactured home to account for the car parking space that is required by subclause (3) to be provided on the site.
- (3) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site.

46 Minimum open space requirements for dwelling sites

- (1) There must be at least 30 square metres of open space (that is, space on which there is no building, structure or car parking space) within each dwelling site.
- (2) The open space of each dwelling site must include at least one area having a minimum width and minimum depth of 3 metres.
- (3) For the purpose of calculating the area of open space within a dwelling site, any space having a width or length of less than 2 metres must be disregarded.

47 Site boundary arrangements

- (1) A manufactured home must not be installed closer than one metre to the boundary of any adjoining dwelling site.
- (2) Subclause (1) does not prohibit the installation of a manufactured home closer than one metre to the boundary of an adjoining dwelling site if:
 - (a) the installation of a manufactured home on the adjoining site is not practicable on such part of that site as is within 2 metres of the location of the proposed manufactured home, and
 - (b) access at least one metre wide is available to the occupier of the manufactured home along each external wall of the home.
- (3) This clause does not prohibit the installation of semi-detached manufactured homes on adjoining dwelling sites so long as they are separated by construction conforming with the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the *Building Code of Australia*.

48 Garages

- (1) A garage may abut a site boundary, a shared double carport or shared double garage may extend over a site boundary and adjacent garages may abut each other along a shared site boundary.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 49 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

- (2) If a manufactured home and garage are situated on the same dwelling site such that the garage is situated closer than 900 millimetres to the manufactured home and closer than 900 millimetres to the site boundary of an adjoining dwelling site:
 - (a) the external walls of the manufactured home that face the garage must comply with the provisions relating to class 1 buildings contained in Section 3 of Volume Two of the *Building Code of Australia*, or
 - (b) the external walls of the garage that face the manufactured home must comply with the provisions relating to class 10 buildings contained in Section 3 of Volume Two of the *Building Code of Australia*.

49 Carports

- (1) The roof covering and any ceiling lining, wall cladding or gable of a carport must be non-combustible.
- (2) A carport must have at least 2 sides open and at least one-third of its perimeter open. For the purposes of this subclause, a side is considered to be open if the roof covering of the carport is at least 500 millimetres from a manufactured home, associated structure or site boundary.
- (3) A carport must not provide direct vertical support to any part of a manufactured home.
- (4) If a carport has a common roof structure with a manufactured home and the carport does not have a ceiling, the opening between the top of the wall of the manufactured home and the underside of the roof covering of the carport must be infilled with:
 - (a) a non-combustible material, or
 - (b) construction clad with non-combustible material on the carport side.

50 Associated structures not to contain habitable rooms

An associated structure must not be designed or modified so as to be useable as a habitable room.

Subdivision 2 Design

51 Structural soundness

- (1) A manufactured home or associated structure must be of a design certified by a practising structural engineer to be structurally sound.

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- (2) A certificate issued under this clause:
- (a) must indicate that the manufactured home or associated structure complies with any standards, codes and specifications with which it is, by this Part or by Ministerial specifications, required to comply, and
 - (b) must include specifications as to the manner in which the manufactured home or associated structure must be transported and installed and as to the nature of the footings (if any) on which it must be installed.
- (3) Any specifications with respect to footings or tie-down systems must have regard to the design gust wind speed, soil type and other design considerations applicable to the various locations in which the home or structure may be installed.
- (4) This clause does not apply to fences or privacy screens.

52 Design gust wind speed

A manufactured home or associated structure must be designed to resist loads as determined in accordance with the following design codes, as appropriate:

- (a) AS/NZS 1170.1:2002, *Structural design actions* Part 1: *Permanent, imposed and other actions*, as in force on 1 September 2005,
- (b) AS/NZS 1170.2:2002, *Structural design actions* Part 2: *Wind actions*, as in force on 1 September 2005, or AS 4055—1992 *Wind loads for housing*, as in force on 1 September 2005 (except that the design gust wind speed for the area where the manufactured home or associated structure is located is not to be taken to be less than 41 metres per second),
- (c) AS 1170.3—1990, *Minimum design loads on structures* Part 3: *Snow loads*, as in force on 1 September 2005,
- (d) AS 1170.4—1993, *Minimum design loads on structures* Part 4: *Earthquake loads*, as in force on 1 September 2005.

53 Floor area of manufactured home

The enclosed floor area of a manufactured home must be at least 35 square metres.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 54 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

54 Floor areas of certain rooms

- (1) The floor area of a bathroom in a manufactured home must be at least 2.2 square metres, plus an additional:
 - (a) 0.6 square metre if the bathroom has a separate shower and bath, and
 - (b) 0.7 square metre if the bathroom has a toilet, and
 - (c) 1.6 square metres if the manufactured home does not include a separate laundry.
- (2) The floor area of a shower room must be at least 1.1 square metres.
- (3) If a toilet is installed in a separate room, the room in which it is installed must have an area of at least 1.1 square metres and a width of at least 0.8 metre.
- (4) The floor area of a laundry must be at least 1.6 square metres.

55 Ceiling height

- (1) The ceiling height of each habitable room (other than a kitchen) in a manufactured home must be at least 2.4 metres.
- (2) The ceiling height of a kitchen, laundry, hallway or other similar part of a manufactured home must be at least 2.1 metres.

56 Separation of kitchen areas

A toilet must not be located in any room in a manufactured home that leads directly into a kitchen or other food preparation area unless the room containing the toilet is mechanically ventilated.

57 Lighting and ventilation

- (1) A manufactured home must have adequate provision for light and ventilation.
- (2) A habitable room must have natural lighting and natural ventilation provided by one or more windows to the outside air, or by one or more openings into an adjoining room, being windows or openings having:
 - (a) a total area of at least 10 per cent of the floor area of the room, and
 - (b) an area (being at least 5 per cent of the floor area of the room) that is capable of being opened.
- (3) If any part of the natural lighting or natural ventilation for a habitable room is provided by one or more openings into an adjoining room, the adjoining room must have natural lighting and ventilation provided by one or more windows that comply with subclause (2) in relation to the combined area of both rooms.

Subdivision 3 Construction

58 Termite shields

Shields, barriers or the like must be provided in accordance with AS 3660.1–2000 *Termite management—new building work and structures*, as in force on 1 September 2005, to protect any structural members that are susceptible to attack by termites.

59 Glazing

Glazing materials must be selected and installed in accordance with the relevant provisions of AS 1288—1994, *Glass in buildings—Selection and installation* and, to the extent to which those provisions require the use of safety glass, in accordance with the relevant provisions of AS/NZS 2208:1996, *Safety glazing materials in buildings* (each as in force on 1 September 2005).

60 External waterproofing

The roof, external walls, door frames and window frames of a manufactured home must be constructed so as to prevent rain or dampness penetrating to the inner parts of the home.

61 Internal waterproofing

- (1) The floor of a bathroom, shower room or room containing a toilet or washing machine in a manufactured home must consist of, or be covered by, material that is impervious to water.
- (2) The wall surface of a shower enclosure (or, in the case of a shower that is not enclosed, any wall surface within 1.5 metres of the shower fitting) must be impervious to water to a height of at least 1.8 metres above the floor.
- (3) Any wall surface within 75 millimetres of a bath, basin or other similar bathroom appliance must be impervious to water to a height of at least 150 millimetres above the appliance.

62 Plumbing and drainage

All pipes and fittings in a manufactured home that relate to water supply, sewerage or stormwater drainage must be installed in accordance with:

- (a) the Plumbing and Drainage Code of Practice, and
- (b) the requirements of any relevant statutory body.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 63 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

63 Electrical wiring

The electrical wiring in a manufactured home must comply with the requirements of AS/NZS 3000:2000, *Electrical installations* (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005.

64 Fire and smoke alarms

- (1) A manufactured home must be equipped with an automatic fire detection and alarm system that complies with the requirements of Part 3.7.2 of Volume Two of the *Building Code of Australia* in relation to class 1 (a) buildings within the meaning of that Code.
- (2) This clause does not apply to a manufactured home that was constructed before 1 January 1996, whether installed before, on or after that date.
- (3) This clause is repealed on the commencement of a regulation made under section 146A of the *Environmental Planning and Assessment Act 1979* that applies to a manufactured home.

Subdivision 4 Installation

65 Footings

- (1) A manufactured home or associated structure must be installed on footings if the engineer's certificate for the home or structure so requires.
- (2) The footings and tie-down system for the manufactured home or associated structure must be constructed in accordance with the engineer's certificate for the home or structure.
- (3) In the case of a manufactured home or associated structure that is placed on footings, the clearance beneath the home or structure must be:
 - (a) at least 400 millimetres, where termite shields are required to be installed, or
 - (b) at least 200 millimetres, where termite shields are not required to be installed, or
 - (c) such lesser clearance as the approval for the manufactured home estate may allow,with adequate provision for underfloor cross-flow ventilation.

66 Installation to comply with specifications

A manufactured home must not be installed on a dwelling site otherwise than in accordance with:

- (a) the specifications contained in the engineer's certificate issued in respect of the manufactured home, or
- (b) such other specifications as are specified in the approval for the manufactured home estate.

67 Compliance plate

- (1) A compliance plate must be attached to an accessible part of each of the following structures:
 - (a) a manufactured home,
 - (b) an associated structure that forms part of a manufactured home,
 - (c) an associated structure comprising a free-standing garage.
- (2) A compliance plate must specify the following:
 - (a) the name of the manufacturer of the manufactured home or associated structure,
 - (b) the unique identification number for each major section of the manufactured home,
 - (c) the month and year during which the manufactured home or associated structure was constructed,
 - (d) the design gust wind speed for the manufactured home or associated structure,
 - (e) a statement that the manufactured home or associated structure complies with the requirements of this Division,
 - (f) the name of the practising structural engineer by whom the engineer's certificate has been issued in respect of the manufactured home.
- (3) A unique identification number must be permanently marked on each major section of the manufactured home.
- (4) The Minister may, by order published in the Gazette, issue specifications for the design, construction, issue and registration of compliance plates for the purposes of this clause.
- (5) A compliance plate must be designed, constructed, issued and registered in accordance with any specifications in force under this clause.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 68 Grounds and Moveable Dwellings) Regulation 2005

Part 2 Manufactured home estates and manufactured homes

68 Notice of completion of installation

- (1) The holder of an approval to operate a manufactured home estate must give the council written notice of the installation of a manufactured home or associated structure within 7 days after its completion.
- (2) The notice:
 - (a) must indicate the site identifier of the dwelling site on which the manufactured home or associated structure has been installed, and
 - (b) must include the particulars contained on each compliance plate relating to the manufactured home or associated structure.
- (3) The notice must be accompanied by:
 - (a) a copy of the engineer's certificate for the manufactured home or associated structure, and
 - (b) a fully dimensioned diagram of the dwelling site on which the manufactured home or associated structure is installed, sufficient to indicate whether or not the setback, density, open space and site delineation requirements of this Part have been complied with.

Division 5 Miscellaneous**69 Certificates of completion**

- (1) Within 5 business days after receiving written notice of the completion of installation of a manufactured home or associated structure, the council must issue to the owner of the home or structure:
 - (a) a certificate of completion for the home or structure, or
 - (b) a written notice that states why such a certificate is not being issued.
- (2) In determining whether or not to issue a certificate of completion, the council must have regard to the following matters:
 - (a) whether the engineer's certificate with respect to the manufactured home or associated structure is available,
 - (b) whether the installation of the manufactured home or associated structure complies with the specifications contained in the engineer's certificate,
 - (c) whether the setback, density, open space and site delineation requirements of this Part have been complied with,
 - (d) whether a compliance plate has been duly affixed to the manufactured home or associated structure.

Part 3 Caravan parks, camping grounds and moveable dwellings

Division 1 Application of Part

70 Application of Part

This Part applies to the operation of caravan parks and camping grounds, and to the installation of moveable dwellings (including manufactured homes) in caravan parks and camping grounds and elsewhere, but does not apply to the installation of manufactured homes in manufactured home estates.

Note. The operation of manufactured home estates and the installation of manufactured homes in manufactured home estates are governed by Part 2.

Division 2 Approvals and exemptions

Subdivision 1 Operation of caravan parks and camping grounds

Note. Section 68 of the Act prohibits a person from operating a caravan park or camping ground without the prior approval of the council. Part 1 of Chapter 7 of the Act deals generally with the granting, amendment, extension, renewal, revocation and modification of approvals. Approvals may be granted subject to conditions, including conditions prescribed by the regulations. Section 626 makes it an offence to fail to obtain an approval. Breach of any condition of an approval constitutes an offence under section 627 of the Act.

71 Factors for consideration before approval is granted

- (1) The council must not grant an approval to operate a caravan park or camping ground unless it is satisfied that it will be designed, constructed, maintained and operated:
 - (a) in accordance with the relevant requirements of Subdivisions 1–8 of Division 3, or
 - (b) in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3.
- (2) In deciding whether or not the approval for a caravan park or camping ground should allow the installation of a relocatable home, rigid annexe or associated structure on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.

72 Matters to be specified in approval

- (1) In addition to any other matters it must contain, an approval to operate a caravan park or camping ground must specify the following:

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 72 Grounds and Moveable Dwellings) Regulation 2005

Part 3 Caravan parks, camping grounds and moveable dwellings

- (a) whether the approval allows:
 - (i) the operation of a caravan park only, or
 - (ii) the operation of a camping ground only, or
 - (iii) the operation of both a caravan park and a camping ground,
 - (b) in the case of an approval that allows the operation of a caravan park:
 - (i) the number, size and location of long-term sites allowed by the approval, and
 - (ii) the number, size and location of short-term sites allowed by the approval, and
 - (iii) the number, size and location of dwelling sites (whether long-term or short-term) to be reserved for self-contained moveable dwellings, and
 - (iv) the location of any off-site parking spaces for dwelling sites,
 - (c) in the case of an approval that allows the operation of a camping ground:
 - (i) whether the camping ground is to be a primitive camping ground, and
 - (ii) in the case of an approval for the operation of a primitive camping ground that designates camp sites, the number, size and location of the camp sites allowed by the approval, and
 - (iii) in the case of an approval for the operation of a primitive camping ground that does not designate camp sites, the maximum number of caravans, campervans and tents that are permitted to use the camping ground at any one time, and
 - (iv) the location of any off-site parking spaces for camp sites,
 - (d) the location of any flood liable land in the caravan park or camping ground.
- (2) The numbers, sizes and locations referred to in subclause (1) must be specified by reference to a community map.
- (3) The approval is to specify that, in the calculation for the purposes of subclause (1) (c) (iii) of the number of tents using a camping ground, 2 or more tents occupied by a group of not more than 12 persons camping together as a group are to be counted as only one tent.

73 Conditions of approval to operate caravan park or camping ground

- (1) An approval to operate a caravan park or camping ground is subject to the following conditions:
- (a) the caravan park or camping ground must be designed, constructed, maintained and operated:
 - (i) in accordance with the relevant requirements of Subdivisions 1–8 of Division 3, or
 - (ii) in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3,
 - (b) a person must not be permitted to stay in a moveable dwelling that occupies a short-term site or camp site for a total of more than 150 days in any 12 month period, unless the moveable vehicle is a holiday van and the person is the owner of that holiday van,
 - (c) the owner of a holiday van that occupies a short-term site or camp site must not be permitted to stay in the holiday van for a total of more than 180 days in any 12 month period,
 - (d) a person must not be permitted to stay in a moveable dwelling in a primitive camping ground for a total of more than 50 days in any 12 month period.
- (2) For the purposes of this clause, only overnight stays are to be counted in calculating the number of days a person spends in a moveable dwelling.
- (3) This clause does not apply to the operation of a caravan park or camping ground for a period of not more than 6 weeks if the caravan park or camping ground is being operated solely in connection with the use of the land for a sporting, recreational or cultural event.
- (4) Subclauses (1) (b), (c) and (d) and (2) do not apply to a resident owner, manager, operator or caretaker of the caravan park or camping ground.
- Note.** The council may also impose conditions on the grant of an approval under section 94 of the Act.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping
Clause 74 Grounds and Moveable Dwellings) Regulation 2005

Part 3 Caravan parks, camping grounds and moveable dwellings

**Subdivision 2 Installation of moveable dwellings and
associated structures in caravan parks and
camping grounds**

Note. Section 68 of the Act prohibits a person from installing a moveable dwelling or associated structure on land without the prior approval of the council, except in so far as the regulations (among other instruments) allow a moveable dwelling or associated structure to be installed without that approval. Section 626 makes it an offence to fail to obtain such an approval. Breach of the conditions on which the installation of a moveable dwelling or associated structure is allowed constitutes an offence under section 627 of the Act.

74 Conditional exemptions

- (1) The prior approval of the council is not required for the installation of a relocatable home or associated structure on a dwelling site within a caravan park, so long as it is designed, constructed and installed in accordance with the relevant requirements of Division 4.
- (2) The prior approval of the council is not required for the installation of a caravan, tent or annexe on a dwelling site within a caravan park, so long as it is designed, constructed and installed in accordance with the relevant requirements of Division 5.
- (3) The prior approval of the council is not required for the installation of a tent on a camp site within a camping ground.
- (4) The prior approval of the council is not required for the installation of a campervan:
 - (a) on a dwelling site within a caravan park, or
 - (b) on a camp site within a camping ground.
- (5) An exemption provided for by this clause applies in respect of the installation of a relocatable home, annexe, associated structure, caravan, campervan or tent only if such installation is carried out by or with the consent of the holder of the approval to operate the caravan park or camping ground concerned.
- (6) An exemption provided for by this clause does not apply to the installation of a relocatable home, rigid annexe or associated structure on flood liable land if the council has notified in writing the holder of the approval to operate the caravan park or camping ground concerned, before that installation, that the land is flood-liaible land.

- (7) An exemption provided for by this clause does not apply to the installation of a relocatable home, rigid annexe or associated structure of more than one storey in height on any land within a caravan park or camping ground.

Note. By virtue of clause 2, clause 74 (7) commences on 1 March 2006.

75 Installation on flood liable land

- (1) In deciding whether or not to approve the installation of a relocatable home, rigid annexe or associated structure on flood liable land in a caravan park or camping ground, the council must have regard to the principles contained in the Floodplain Development Manual.
- (2) It is a condition of an approval to install a relocatable home or associated structure on flood liable land that the relocatable home and associated structure is designed, constructed and installed in accordance with the relevant requirements of Division 4.
- (3) It is a condition of an approval to install a rigid annexe on flood liable land that the rigid annexe is designed, constructed and installed in accordance with the relevant requirements of Division 5.

Note. The council may also impose conditions on the grant of an approval under section 94 of the Act.

76 Installation of relocatable home, rigid annexe or associated structure of more than one storey

In deciding whether to approve the installation in a caravan park or camping ground of a relocatable home, rigid annexe or associated structure having more than one storey, the council is to have regard to the likely impact on the amenity of the occupiers of any adjoining relocatable home and the amenity of the occupiers of land adjoining that caravan park or camping ground.

Subdivision 3 Installation of moveable dwellings elsewhere than in caravan parks or camping grounds

77 Conditional exemptions

The prior approval of the council is not required for:

- (a) the installation of not more than 2 caravans, campervans or tents on any land, so long as they are not occupied for more than 2 days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months, or
- (b) the installation of not more than one caravan or campervan on land occupied by the owner of the caravan or campervan in connection with that owner's dwelling-house, so long as it is used

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- for habitation only by the owner or by members of the owner's household and is maintained in a safe and healthy condition, or
- (c) the installation of a caravan or campervan on pastoral or agricultural land, so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.

78 Unconditional exemptions

The prior approval of the council is not required for the installation of a caravan, campervan or tent on Crown reserves or on land that is reserved or dedicated under the *Forestry Act 1916*.

Note. The use of caravans, campervans and tents on such lands is regulated under the *Crown Lands Act 1989* and the *Forestry Act 1916*, respectively. The use of caravans, campervans and tents on lands reserved or dedicated under the *National Parks and Wildlife Act 1974* is regulated under that Act.

79 Plans to accompany applications for approval

- (1) An application for approval to install a moveable dwelling must be accompanied by the following:
 - (a) two copies of the plans and specifications for the moveable dwelling,
 - (b) two copies of the plans and specifications for any fences already erected or to be erected,
 - (c) two copies of the site plan of the land,
 - (d) two copies of a sketch plan of the moveable dwelling, indicating its height and proposed external configuration as installed, in relation to its site.
- (2) The plans for the moveable dwelling required by this clause must be drawn to a suitable scale and must not be less than A4 size.
- (3) The plans required by this clause must show the following:
 - (a) a plan of each floor section,
 - (b) a plan of each elevation,
 - (c) the levels of the lowest floor and of any yard or unbuilt-on area belonging to that floor and the levels of adjacent ground,
 - (d) the height, design, construction and provision for fire safety and fire resistance (if any).
- (4) If:
 - (a) the plans and specifications relate to a proposal to carry out any alteration or rebuilding of an existing moveable dwelling, or

- (b) it is proposed to modify plans and specifications that have been submitted to the council,
both copies of the plans are to be coloured or marked to adequately distinguish the proposed alteration, rebuilding or modification.
- (5) The specification of the moveable dwelling:
 - (a) must describe the construction and materials of which the moveable dwelling is to be built and the method of drainage, sewerage and water supply, and
 - (b) must state whether the materials will be new or second-hand and give particulars of any second-hand materials to be used.
- (6) This clause does not apply to moveable dwellings that are capable of being registered under the *Road Transport (Vehicle Registration) Act 1997*.

80 Factors for consideration before approval is granted

In considering an application for approval to install a moveable dwelling or associated structure on any land, the council must take the following matters into consideration:

- (a) whether any development consent required under the *Environmental Planning and Assessment Act 1979* for the installation of the moveable dwelling or associated structure on the land has been given,
- (b) whether the installation of the moveable dwelling or associated structure on the land contravenes the provisions of the *Environmental Planning and Assessment Act 1979* or of any environmental planning instrument.

81 Conditions of approval—relocatable homes and associated structures

- (1) An approval to install a relocatable home elsewhere than in a caravan park or camping ground is subject to the condition that it must be designed, constructed and installed in accordance with the requirements of Division 4 (clauses 133–136 excepted).
- (2) An approval to install an associated structure elsewhere than in a caravan park or camping ground is subject to the condition that it must be designed, constructed and installed in accordance with the requirements of Division 4 (clauses 133–136 excepted).
- (3) For the purpose of applying the provisions of Division 4 to the installation of a relocatable home or associated structure elsewhere than in a caravan park or camping ground:

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- (a) a reference in those provisions to a caravan park is taken to be a reference to the land on which the relocatable home or associated structure is to be installed, and
- (b) a reference in those provisions to an approval for a caravan park is taken to be a reference to the approval for the installation of the relocatable home or associated structure.

82 Conditions of approval—rigid annexes

- (1) An approval to install a rigid annexe elsewhere than in a caravan park or camping ground is subject to the condition that it must be designed, constructed and installed in accordance with the requirements of Subdivisions 2 and 3 of Division 5.
- (2) For the purpose of applying the provisions of Subdivisions 2 and 3 of Division 5 to the installation of a rigid annexe elsewhere than in a caravan park or camping ground:
 - (a) a reference in those provisions to a caravan park is taken to be a reference to the land on which the rigid annexe is to be installed, and
 - (b) a reference in those provisions to an approval for a caravan park is taken to be a reference to the approval for the installation of the rigid annexe.

Division 3 Caravan parks and camping grounds

Subdivision 1 Land and site requirements

83 Minimum size of caravan park or camping ground

- (1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.
- (2) There is no minimum size for a camping ground.

84 Community amenities

- (1) Of the total land area of a caravan park or camping ground:
 - (a) at least 10 per cent, or
 - (b) such lesser proportion (but not less than 6 per cent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities.
- (2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.

85 Size of dwelling sites and camp sites

- (1) A long-term site must have an area of at least 80 square metres.
- (2) A short-term site must have an area of at least 65 square metres.
- (3) A camp site must have an area of at least:
 - (a) 40 square metres, in the case of a camp site for which a separate parking space is provided within 30 metres of the camp site, or
 - (b) 50 square metres, in any other case.

86 Site identification

- (1) A dwelling site or camp site must be numbered or identified and its site boundaries clearly delineated.
- (2) The site identification must be conspicuous.

Subdivision 2 Setbacks**87 Dwelling sites to have road frontage**

A dwelling site must have vehicular access to an access road.

88 Setbacks of community buildings

- (1) A community building must not be located closer than 10 metres to the boundary of a caravan park or camping ground, or to the boundary of a dwelling site or camp site, unless the approval for the caravan park or camping ground so allows.
- (2) The approval for a caravan park or camping ground must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced, enclosed or otherwise treated.
- (3) A community building must not in any case be located closer than 3 metres to the boundary of a caravan park or camping ground or 5 metres to the boundary of a dwelling site or camp site.

89 Setbacks of dwelling sites and camp sites from road frontages

- (1) A dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows.
- (2) The approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.

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90 Use of buffer zones

Nothing in this Regulation prevents land within a buffer zone arising from the setbacks required by this Division from being used:

- (a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or
- (b) for any similar purpose allowed by the approval for the caravan park or camping ground.

91 Separation distances

- (1) A moveable dwelling must not be installed closer to any other moveable dwelling than:
 - (a) 3 metres, if it is situated on a long-term site, or
 - (b) 2.5 metres, if it is situated on a short-term site or camp site.
- (2) This clause does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the *Building Code of Australia*.
- (3) This clause does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the *Building Code of Australia*.

Subdivision 3 Roads

92 Entrance and exit roads

- (1) A road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.
- (2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.
- (3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading to the entrance or exit must be as specified in the approval for the caravan park or camping ground.

93 Forecourt

A caravan park must have a forecourt, measuring at least 4 metres by 20 metres, to accommodate incoming vehicles.

94 Width of roads

- (1) The width of an access road must be:
 - (a) at least 6 metres for a two-way access road, and
 - (b) at least 4 metres for a one-way access road.
- (2) The direction of travel for a one-way access road must be indicated by means of conspicuous signs.

95 Speed limits

The speed limit applicable to an access road:

- (a) must not exceed 15 kilometres per hour, and
- (b) must be indicated by means of conspicuous signs.

96 Resident parking

- (1) A caravan park or camping ground must contain at least one resident parking space for each dwelling site or camp site.
- (2) The parking space for a dwelling site or camp site may be on-site (that is, forming part of the site) or off-site (that is, not forming part of the site).
- (3) An off-site space must be marked (for example, by means of line marking, marker pegs or similar means) to identify the particular dwelling site or camp site to which it relates.
- (4) An off-site parking space for a dwelling site or camp site must be situated in the location specified in the approval for the caravan park or camping ground.
- (5) Each off-site parking space is to have, at minimum, dimensions of:
 - (a) 5.4 metres by 2.5 metres, in the case of angle parking, and
 - (b) 6.1 metres by 2.5 metres, in any other case.

97 Visitor parking

- (1) A caravan park or camping ground must contain no fewer visitor parking spaces than the following:
 - (a) one visitor parking space for each 10 (and any remaining fraction of 10) long-term sites in the caravan park or camping ground,
 - (b) one visitor parking space for each 20 (and any remaining fraction of 20) short-term sites in the caravan park or camping ground,
 - (c) one visitor parking space for each 40 (and any remaining fraction of 40) camp sites in the caravan park or camping ground.
- (2) The minimum number of visitor parking spaces to be provided is 4.

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- (3) Each parking space is to have, at minimum, dimensions of:
 - (a) 5.4 metres by 2.5 metres, in the case of angle parking, and
 - (b) 6.1 metres by 2.5 metres, in any other case.
- (4) Visitor parking spaces must be clearly identified as such.

98 Visitor parking for people with disabilities

- (1) A caravan park or camping ground must contain at least one visitor parking space for people with disabilities.
- (2) A caravan park or camping ground that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites.
- (3) Such parking is to be provided in accordance with AS/NZS 2890.1:2004 *Parking facilities—Off street parking*.
- (4) Visitor parking spaces for people with disabilities must be clearly identified as such.
- (5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 97.

99 Road surfaces

All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.

100 Lighting

All access roads must be adequately lit between sunset and sunrise.

Subdivision 4 Utility services

101 Water supply

- (1) A caravan park or camping ground:
 - (a) must be connected to a mains water supply, or
 - (b) must be provided with an alternative water supply service as specified in the approval for the caravan park or camping ground.
- (2) A dwelling site must be connected to the water supply service for the caravan park or camping ground.

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- (3) A camping ground must have water supply connections for the camp sites at the rate of one connection for every 4 camp sites. Connections must be located so that no camp site is more than 30 metres from a connection.
 - (4) The water supply connections must include a standpipe and hose tap.
 - (5) The water supply service must comply with:
 - (a) the Plumbing and Drainage Code of Practice, and
 - (b) the requirements of any relevant statutory body.
 - (6) The water supplied for human consumption or domestic purposes must comply with the *Australian Drinking Water Guidelines* published in 2004 by the National Health and Medical Research Council.

102 Sewerage

- (1) A caravan park or camping ground:
 - (a) must be connected to a main sewer, or
 - (b) must be provided with an alternative sewage disposal system as specified in the approval for the caravan park or camping ground.
- (2) A long-term site must be provided with a connection to the sewage disposal system for the caravan park or camping ground.
- (3) A caravan park or camping ground that includes any short-term sites or camp sites must be provided with at least one common soil waste dump point for the disposal of closet waste from caravan holding tanks and the like. The common soil waste dump point must be located so as to permit adequate access by caravans and campervans.
- (4) A short-term site must be provided with a disposal point, as specified in the approval, for the disposal of sullage (that is, domestic waste from baths, basins, showers, laundries and kitchens, including floor wastes from those sources) from any moveable dwelling installed on the site. More than one short-term site may be provided with the same disposal point.
- (5) The sewage disposal system must comply with:
 - (a) the Plumbing and Drainage Code of Practice, and
 - (b) the requirements of any relevant statutory body.

103 Drainage

- (1) A caravan park or camping ground must be provided with a stormwater drainage system.

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- (2) All dwelling sites and camp sites must be adequately drained.

Note. The Act requires stormwater drainage work to be carried out only with the approval of the council. The *Local Government (General) Regulation 2005* specifies further requirements with respect to drainage.

104 Electricity supply

- (1) A dwelling site must be supplied with electricity from a reticulated electricity service.
- (2) In the case of a long-term site, the electricity must be supplied by means of an electrical circuit connected to a separate electricity meter.
- (3) Any such electrical circuit must be installed in accordance with the requirements of:
- (a) the Electricity Code of Practice, in the case of a long-term site, and
 - (b) AS/NZS 3001:2001, *Electrical installations—Relocatable premises (including caravans and tents) and their site installations*, as in force on 1 September 2005, in the case of a short-term site.
- (4) If a dwelling site is provided with electricity otherwise than by way of direct connection to the local electricity supply authority's electricity main, the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail electricity supplier for the relevant district would have charged under a standard form customer supply contract for that supply during that period.

105 Common trenches

A common trench may be used for the installation of services in accordance with guidelines set out in AMCORD.

Subdivision 5 Shower and toilet facilities

106 Modification of calculations under this Subdivision

In calculating the facilities to be provided in accordance with this Subdivision:

- (a) 2 camp sites are taken to be the equivalent of one dwelling site, and
- (b) dwelling sites reserved for use by self-contained moveable dwellings, and dwelling sites provided with ensuite facilities, are to be disregarded.

107 Number of showers and toilets to be provided

- (1) A caravan park or camping ground with fewer than 200 dwelling sites must be provided with facilities specified in the Table to this clause according to the number of dwelling sites in the caravan park or camping ground.
- (2) A caravan park or camping ground with 200 dwelling sites or more must be provided with those facilities as specified in the approval for the caravan park or camping ground.
- (3) In considering the facilities to be provided in accordance with subclause (2), the council must have regard to the rate of increment of quantities set out in the Table to this clause.
- (4) For the purposes of this clause:
 - (a) a requirement for a shower may be met by the provision of a bathtub, and
 - (b) a requirement for a urinal may be met by the provision of an individual unit or by each 600 millimetre width of a larger facility.

Table

Sites	Water closets		Urinals	Showers		Handbasins	
	Female	Male		Female	Male	Female	Male
1–25	3	2	1	2	2	2	2
26–50	5	3	2	3	3	3	3
51–75	6	4	2	4	4	3	3
76–100	7	4	2	5	5	4	4
101–125	8	5	3	6	6	4	4
126–150	9	6	3	7	7	5	5
151–175	10	6	4	8	8	5	5
176–199	11	7	4	9	9	6	6

108 Facilities for people with disabilities

- (1) A caravan park or camping ground must be provided with shower, toilet and associated facilities, designed in accordance with AS 1428.1—2001, *Design for access and mobility Part 1: General requirements for access—New building work*, as in force on 1 September 2005.

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- (2) A caravan park or camping ground with fewer than 100 dwelling sites must be provided with:
 - (a) one of each facility for each sex, or
 - (b) one of each facility for use by both sexes.
- (3) A caravan park or camping ground with 100 dwelling sites or more must be provided with:
 - (a) two of each facility for each sex, or
 - (b) two of each facility for use by both sexes, or
 - (c) one of each facility for each sex and one of each facility for use by both sexes.
- (4) Facilities provided in accordance with this clause may be counted for the purposes of clause 107.
- (5) This clause applies in respect of a caravan park or camping ground only if it has at least one dwelling site (other than a dwelling site that is disregarded under clause 106 (b)) or at least one camp site.

109 Other facilities

- (1) All showers and handbasins required by this Subdivision must be supplied with hot and cold running water.
- (2) A mirror must be provided:
 - (a) for each handbasin provided, or
 - (b) if 2 or more handbasins are provided together, for each pair of handbasins.
- (3) Means for sanitary napkin disposal must be provided in each communal facility that contains water closets for female use and, in a facility containing 10 or more water closets, must be provided at the rate of one for each 10 (or remaining fraction of 10) water closets.

110 Construction of shower blocks and toilet blocks

- (1) Except as otherwise provided by the approval for the caravan park or camping ground, the shower and toilet facilities provided for a caravan park or camping ground must be housed in a shower block or toilet block:
 - (a) that is constructed of brick or concrete masonry block, and
 - (b) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and
 - (c) that has smooth, hard, durable and water-resistant interior finishes, and

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- (d) that has shower recesses with tile or other impervious finishes to a height of at least 1.8 metres, and
 - (e) that has tile or other impervious skirtings around water closet cubicle walls, and
 - (f) that has tile or other impervious finish around wash basins, and
 - (g) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and
 - (h) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.
- (2) Subject to clause 108 (2) and (3), if male and female shower or toilet facilities are located in the same building, that building must be divided for separate use by each sex.
 - (3) Water closets must be provided in individual cubicles having a minimum floor area of 1.1 square metres and a minimum width of 0.8 metre.

111 Proximity of dwelling sites to shower blocks and toilet blocks

- (1) A long-term site must not be situated more than 75 metres (measured in a straight line) from a shower block or toilet block.
- (2) A short-term site or camp site must not be situated more than 100 metres (measured in a straight line) from a shower block or toilet block.
- (3) This clause does not apply in respect of dwelling sites reserved for use by self-contained moveable dwellings and dwelling sites provided with ensuite facilities.

Subdivision 6 Laundry facilities**112 Modification of calculations under this Subdivision**

In calculating the facilities to be provided in accordance with this Subdivision, 2 camp sites are taken to be the equivalent of one short-term site.

113 Washing machines

- (1) A caravan park or camping ground must be provided with:
 - (a) at least one washing machine for each 25 (and any remaining fraction of 25 greater than 12) long-term sites, and
 - (b) at least one washing machine for each 30 (and any remaining fraction of 30 greater than 15) short-term sites.
- (2) The minimum number of washing machines to be provided is 2.

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114 Laundry tubs

- (1) A caravan park or camping ground must be provided with:
 - (a) at least one laundry tub for each 50 (and any remaining fraction of 50) long-term sites, and
 - (b) at least one laundry tub for each 60 (and any remaining fraction of 60) short-term sites.
- (2) The minimum number of laundry tubs to be provided is one.

115 Clothes dryers

- (1) A caravan park or camping ground must be provided with:
 - (a) at least one mechanical clothes dryer for each 60 (and any remaining fraction of 60 greater than 30) long-term sites, and
 - (b) at least one mechanical clothes dryer for each 80 (and any remaining fraction of 80 greater than 40) short-term sites.
- (2) The minimum number of mechanical clothes dryers to be provided is one.

116 Drying areas

- (1) A caravan park or camping ground must be provided with clothes line space at the rate of 2 metres of line for each dwelling site.
- (2) The minimum length of clothes line space to be provided is 50 metres.

117 Water supply

Washing machines and laundry tubs required by this Subdivision must be supplied with both hot and cold water.

118 Ironing facilities

A caravan park or camping ground must be provided with ironing boards, electric irons and power points available for connection to electric irons at the rate of one for every 60 (or remaining fraction of 60) short-term sites.

119 Construction of laundry blocks

Except as otherwise provided by the approval for the caravan park or camping ground, the laundry facilities provided for a caravan park or camping ground must be housed in a laundry block:

- (a) that is constructed of brick or concrete masonry block, and
- (b) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and

- (c) that has smooth, hard, durable and water-resistant interior finishes, and
- (d) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and
- (e) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.

120 Maintenance

The laundry facilities required by this Subdivision that are housed in a laundry block must be maintained in a serviceable and safe condition.

Subdivision 7 Management**121 Maximum number of persons per dwelling site or camp site**

No more than 12 persons may be allowed to stay overnight at a dwelling site or camp site at any one time.

122 Register of occupiers

- (1) A register of occupiers must be kept for a caravan park or camping ground.
- (2) Each person who alone occupies a dwelling site or camp site, must be registered under this clause.
- (3) However, if more than one person occupies the same dwelling site, or camp site only one such person must be registered (although the other persons may be registered).
- (4) The register must include the following particulars in relation to a person whose occupation of a site is registered under this clause:
 - (a) the person's name and address,
 - (b) the dates of arrival and departure of the person,
 - (c) the site identification of the site occupied by the person,
 - (d) the registration number (if any) of the moveable dwelling, in the case of a caravan or campervan,
 - (e) particulars of the relevant compliance plate, in the case of a relocatable home.
- (5) The register must be available for inspection by any authorised person without cost during normal working hours.

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Clause 123 Grounds and Moveable Dwellings) Regulation 2005

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123 Information to be given to prospective occupiers

- (1) Before the holder of the approval for a caravan park or camping ground enters into an agreement with a person relating to the person's occupation of a dwelling site or camp site, the holder of the approval must ensure that the person is given written notice of the conditions of occupation.
- (2) This clause does not apply if the agreement relates to the person's occupation of a long-term site, unless the person is proposing to occupy that site for holiday purposes.
- (3) The notice must include the following particulars:
 - (a) the site identification of the dwelling site or camp site allocated to the person,
 - (b) the date (if any) on which it is agreed that the person's occupation of the dwelling site or camp site will cease,
 - (c) in the case of an agreement relating to occupation of a short-term site or camp site, advice as to the maximum number of days that the person may stay in a moveable dwelling on the site in any 12 month period (being the maximum number provided for by clause 73 or a smaller number determined by the holder of the approval to operate the caravan park or camping ground),
 - (d) the rules (if any) of the caravan park or camping ground,
 - (e) a telephone number on which the holder of the approval for the caravan park or camping ground, or his or her agent, may be contacted in the event of an emergency,
 - (f) whether or not pets may be kept in the caravan park or camping ground and, if so, on what conditions,
 - (g) the nature and location of the amenities available for use by the person as an occupier of the dwelling site or camp site and the charges, if any, for use of those amenities,
 - (h) the location of each fire extinguisher, fire hose reel and fire hydrant that is installed within the park or ground,
 - (i) if the holder of the approval to operate the caravan park or camping ground has been notified in writing by the council that any of the land in the caravan park or camping ground is flood liable land or bush fire prone land, the location of that flood liable land or bush fire prone land within the caravan park or camping ground,

- (j) any other matters affecting the person's occupation of the dwelling site or camp site or use of the caravan park or camping ground and its amenities.

Note. The *Residential Parks Act 1998* and the regulations under that Act apply to certain residential tenancy agreements under which the residential premises consist of a moveable dwelling, or a site on which a moveable dwelling is situated, or both. That Act does not apply to premises ordinarily used for holiday purposes. The *Residential Parks Act 1998* also provides rights to information for prospective residents of residential parks.

124 Use of caravan parks and camping grounds

- (1) A caravan park or camping ground must not be used:
 - (a) for any commercial purpose other than a caravan park or camping ground or an associated purpose, or
 - (b) for the manufacture, construction or reconstruction of moveable dwellings.
- (2) This clause does not prevent the carrying out of work on a moveable dwelling that is installed in a caravan park or camping ground for the purpose of its renovation, maintenance or repair (such as painting, replacement of wall cladding or roof sheeting and the like).

125 Community map

The council must be given a copy of the current community map:

- (a) as soon as practicable after any amendment is made to the map, and
- (b) at such other times as the council may reasonably require.

126 Access to approval and community map

- (1) The holder of an approval to operate a caravan park or camping ground must ensure that copies of the following documents are readily available for inspection without cost in a location in the caravan park or camping ground specified in the approval for the caravan park or camping ground:
 - (a) the approval for the caravan park or camping ground,
 - (b) the current community map,
 - (c) this Regulation.
- (2) A copy of the current community map must also be displayed in a prominent position in the caravan park or camping ground.

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Subdivision 8 General

127 Garbage removal

Arrangements specified in the approval for the caravan park or camping ground must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.

128 Fire hydrants

- (1) No part of a dwelling site, camp site or community building within a caravan park or camping ground may be situated more than 90 metres from a fire hydrant.
- (2) Any fire hydrant located within a caravan park or camping ground must:
 - (a) be a double-headed pillar-type fire hydrant, and
 - (b) be maintained to the standard specified in the approval for the caravan park or camping ground.

129 Fire hose reels

- (1) Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose.
- (2) The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, *Fire hose reels* and installed in accordance with AS 2441—1988, *Installation of fire hose reels*, as in force on 1 September 2005.
- (3) The holder of the approval for the caravan park or camping ground must cause the council to be given a certificate (a ***fire hose reel certificate***) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.
- (4) A fire hose reel certificate is to state, in relation to each fire hose reel installed in the caravan park or camping ground:
 - (a) that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and
 - (b) that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to have been capable of performing to a standard not less than that required by this Regulation.

130 Car washing bay

A caravan park must be provided with an area for use for washing vehicles.

131 Buildings

- (1) A building must not be erected in a caravan park or camping ground unless the approval for the caravan park or camping ground so allows.
- (2) The approval for a caravan park or camping ground is to allow community buildings to be erected only in the caravan park or camping ground.
- (3) The approval for a caravan park or camping ground is not to allow the erection of a community building (other than an ensuite facility) on a dwelling site or camp site.

Note. The erection of a building (including a community building or brick or masonry wall) may require development consent under the *Environmental Planning and Assessment Act 1979*.

Subdivision 9 Primitive camping grounds**132 Primitive camping grounds**

- (1) If an approval to operate a primitive camping ground designates one or more camp sites within that ground, then the maximum number of designated camp sites is not to exceed a mean average of 2 for each hectare of the camping ground (where that figure is the average calculated over the total area of the primitive camping ground).
- (2) The following conditions apply to a primitive camping ground:
 - (a) if the approval to operate the primitive camping ground designates one or more camp sites within that ground—camping is not permitted within the primitive camping ground other than on those designated camp sites,
 - (b) if the approval to operate the primitive camping ground does not designate one or more camp sites within that ground—the maximum number of caravans, campervans and tents permitted to use the camping ground at any one time is not to exceed a mean average of 2 for each hectare of the camping ground (where that figure is the average calculated over the total area of the primitive camping ground),
 - (c) a caravan, annexe or campervan must not be allowed to be installed closer than 6 metres to any other caravan, annexe, campervan or tent,
 - (d) a tent must not be allowed to be installed closer than 6 metres to any caravan, annexe or campervan or closer than 3 metres to any other tent,
 - (e) the camping ground must be provided with a water supply, toilet and refuse disposal facilities as specified in the approval for the camping ground,

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- (f) unoccupied caravans, campervans and tents are not to be allowed to remain in the camping ground for more than 24 hours,
 - (g) if a fee is charged for camping, a register must be kept that contains entries concerning the same matters as are specified in clause 122 and, in addition, that specifies the size of the group (if any) with whom the person listed in the register camped,
 - (h) such fire fighting facilities as may be specified in the approval are to be provided at the primitive camping ground.
- (3) If the approval to operate a primitive camping site does not designate camp sites, a council may impose as a condition of the approval that the installation of tents, caravans, campervans and annexes is not permitted on a particular area or areas of land within the primitive camping ground, for reasons of health or safety or to ensure consistency with the principles of ecologically sustainable development or for any other purpose.
- (4) The provisions of Subdivisions 1–8 do not apply to a primitive camping ground.
- (5) For the purposes of subclause (2) (b), in the calculation of the number of tents using a camping ground, 2 or more tents occupied by not more than 12 persons camping together as a group are to be counted as only one tent.

Division 4 Relocatable homes and associated structures

Subdivision 1 General

133 Specifications for design, construction, installation, modification and extension of relocatable homes and associated structures

- (1) The Minister may, by order published in the Gazette, issue specifications (not inconsistent with this Division) for the design, construction, installation, modification and extension of relocatable homes and associated structures.
- (2) The specifications may adopt, with or without modification, the provisions of any rule, standard or code of practice.
- (3) Subject to this Division, a relocatable home or associated structure must be designed, constructed, installed, modified and extended in accordance with any specifications in force under this clause.

134 Installation allowed only on dwelling sites

- (1) A relocatable home must not be installed in a caravan park otherwise than on a dwelling site.
- (2) This clause does not apply to a relocatable home that is used solely for the purposes of a community amenity or as a manager's or caretaker's office or residence.

135 Relocatable homes to be constructed and assembled off-site

- (1) A relocatable home must not be installed on a dwelling site unless each major section of the home has been constructed and assembled at, and transported to the caravan park from, a place of manufacture outside the caravan park.
- (2) However, the fixing of cornices, the setting of wall lining joints, the fitting of skirting boards and architraves and the grouting of tiles may be done on the dwelling site.

136 Installation allowed only if dwelling site is properly serviced

A relocatable home must not be installed on a dwelling site unless the requirements of Division 3 have been complied with in relation to the site.

137 One relocatable home per dwelling site

No more than one relocatable home may be installed on a single dwelling site.

138 Setbacks for relocatable homes

A relocatable home and any associated structure must not be located:

- (a) closer than one metre to an access road, or
- (b) closer than 2 metres to the boundary of the caravan park.

139 Site coverage

- (1) A relocatable home and any associated structure must not be installed on a single dwelling site if the floor plan area of the relocatable home (together with any associated structure or other building or structure on the site) is more than two-thirds of the area of the site.
- (2) For the purposes of this clause:
 - (a) the floor plan area of a relocatable home is the area of the dwelling site occupied by the home, excluding the area of any associated structure forming part of the home that is not roofed, and

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- (b) the floor plan area of any associated structure not forming part of the relocatable home is the area of the dwelling site occupied by the structure, excluding any area that is not roofed, and
 - (c) if there is no carport or garage on the dwelling site, an area of 18 square metres must be added to the floor plan area of the relocatable home to account for the car parking space that is required by subclause (3) to be provided on the site.
- (3) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site.
 - (4) Subclause (3) does not apply if the resident's parking space for that dwelling site is separate from the site.

140 Garages

- (1) A garage may abut a site boundary, a shared double carport or shared double garage may extend over a site boundary and adjacent garages may abut each other along a shared site boundary.
- (2) If a relocatable home and garage are situated on the same dwelling site such that the garage is situated closer than 900 millimetres to the relocatable home and closer than 900 millimetres to the site boundary of an adjoining dwelling site:
 - (a) the external walls of the relocatable home that face the garage must comply with the provisions relating to class 1 buildings contained in Section 3 of Volume Two of the *Building Code of Australia*, or
 - (b) the external walls of the garage that face the relocatable home must comply with the provisions relating to class 10 buildings contained in Section 3 of Volume Two of the *Building Code of Australia*.

141 Carports

- (1) The roof covering and any ceiling lining, wall cladding or gable of a carport must be non-combustible.
- (2) A carport must have at least 2 sides open and at least one-third of its perimeter open. For the purposes of this subclause, a side is considered to be open if the roof covering of the carport is at least 500 millimetres from a relocatable home, annexe, associated structure or site boundary.
- (3) A carport must not provide direct vertical support to any part of a relocatable home.

- (4) If a carport has a common roof structure with a relocatable home and the carport does not have a ceiling, the opening between the top of the wall of the relocatable home and the underside of the roof covering of the carport must be infilled with:
- (a) a non-combustible material, or
 - (b) construction clad with non-combustible material on the carport side.

142 Associated structures not to contain habitable rooms

An associated structure must not be designed or modified so as to be useable as a habitable room.

Subdivision 2 Design**143 Structural soundness**

- (1) A relocatable home or associated structure must be of a design certified by a practising structural engineer to be structurally sound.
- (2) A certificate issued under this clause:
- (a) must indicate that the relocatable home or associated structure complies with any standards, codes and specifications with which it is, by this Regulation or by the Ministerial specifications, required to comply, and
 - (b) must include specifications as to the manner in which the relocatable home or associated structure must be transported and installed and as to the nature of the footings (if any) on which it must be installed.
- (3) Any specifications with respect to footings or tie-down systems must have regard to the design gust wind speed, soil type and other design considerations applicable to the various locations in which the home or structure may be installed.
- (4) This clause does not apply to fences or privacy screens.

144 Design gust wind speed

A relocatable home must be designed to resist loads as determined in accordance with the following design codes, as appropriate:

- (a) AS/NZS 1170.1:2002, *Structural design actions* Part 1: *Permanent, imposed and other actions*, as in force on 1 September 2005,

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- (b) AS/NZS 1170.2:2002, *Structural design actions Part 2: Wind actions*, as in force on 1 September 2005, or AS 4055—1992 *Wind loads for housing*, as in force on 1 September 2005 (except that the design gust wind speed for the area where the manufactured home or associated structure is located is not to be taken to be less than 41 metres per second),
- (c) AS 1170.3—1990, *Minimum design loads on structures Part 3: Snow loads*, as in force on 1 September 2005,
- (d) AS 1170.4—1993, *Minimum design loads on structures Part 4: Earthquake loads*, as in force on 1 September 2005.

145 Floor area of relocatable home

The enclosed floor area of a relocatable home must be at least 15 square metres.

146 Floor area of certain rooms

- (1) The floor area of a bathroom of a relocatable home must be at least 2.2 square metres, plus an additional:
 - (a) 0.6 square metre if the bathroom has a separate shower and bath, and
 - (b) 0.7 square metre if the bathroom has a toilet, and
 - (c) 1.6 square metre if the relocatable home does not include a separate laundry.
- (2) The additional requirement in subclause (1) (c) does not apply in respect of a relocatable home that is used or intended to be used as a holiday van or park van.
- (3) The floor area of a shower room must be at least 1.1 square metres.
- (4) If a toilet is installed in a separate room, the room in which it is installed must have an area of at least 1.1 square metres and a width of at least 0.8 metre.
- (5) The floor area of a laundry must be at least 1.6 square metres.

147 Ceiling height

- (1) The ceiling height of each habitable room (other than a kitchen) in a relocatable home must be at least 2.4 metres.
- (2) The ceiling height of a kitchen, laundry, hallway or other similar part of a relocatable home must be at least 2.1 metres.

- (3) In the case of a habitable room with a sloping ceiling, the ceiling height may be less than 2.4 metres if:
- (a) the floor area of the part of the room with a ceiling height of less than 2.4 metres does not exceed one-third of the floor area of the whole room, and
 - (b) the ceiling height is suitable for, or does not unduly interfere with, the intended function of the room.

148 Separation of kitchen areas

A toilet must not be located in any room in a relocatable home that leads directly into a kitchen or other food preparation area unless the room containing the toilet is mechanically ventilated.

149 Lighting and ventilation

- (1) A relocatable home must have adequate provision for light and ventilation.
- (2) A habitable room must have natural lighting and natural ventilation provided by one or more windows to the outside air, or by one or more openings into an adjoining room, being windows or openings having:
- (a) a total area of at least 10 per cent of the floor area of the room, and
 - (b) an area (being at least 5 per cent of the floor area of the room) that is capable of being opened.
- (3) If any part of the natural lighting or natural ventilation for a habitable room is provided by one or more openings into an adjoining room, the adjoining room must have natural lighting and ventilation provided by one or more windows that comply with subclause (2) in relation to the combined area of both rooms.

Subdivision 3 Construction**150 Termite shields**

Shields, barriers or the like must be provided in accordance with AS 3660.1-2000 *Termite management—new building work* (as in force on 1 September 2005) to protect any structural members that are susceptible to attack by termites.

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151 Glazing

Glazing materials must be selected and installed in accordance with the relevant provisions of AS 1288—1994, *Glass in buildings—Selection and installation* and, to the extent to which those provisions require the use of safety glass, in accordance with the relevant provisions of AS/NZS 2208:1996, *Safety glazing materials in buildings* (each as in force on 1 September 2005).

152 External waterproofing

The roof, external walls, door frames and window frames of a relocatable home must be constructed so as to prevent rain or dampness penetrating to the inner parts of the home.

153 Internal waterproofing

- (1) The floor of a bathroom, shower room or room containing a toilet or washing machine in a relocatable home must consist of, or be covered by, material that is impervious to water.
- (2) The wall surface of a shower enclosure (or, in the case of a shower that is not enclosed, any wall surface within 1.5 metres of the shower fitting) must be impervious to water to a height of at least 1.8 metres above the floor.
- (3) Any wall surface within 75 millimetres of a bath, basin or other similar bathroom appliance must be impervious to water to a height of at least 150 millimetres above the appliance.
- (4) Compliance with AS 3740—2004, *Waterproofing of wet areas within residential buildings* (as in force on 1 September 2005) satisfies the requirements of this clause.

154 Plumbing and drainage

All pipes and fittings in a relocatable home that relate to water supply, sewerage or stormwater drainage must be installed in accordance with:

- (a) the Plumbing and Drainage Code of Practice, and
- (b) the requirements of any relevant statutory body.

155 Electrical wiring

The electrical wiring in a relocatable home must comply with the requirements of AS/NZS 3000: 2000, *Electrical installations* (known as the Australian/New Zealand Wiring Rules) (as in force on 1 September 2005).

156 Fire and smoke alarms

- (1) A relocatable home must be equipped with an automatic fire detection and alarm system that complies with the requirements of Part 3.7.2 of Volume Two of the *Building Code of Australia* in relation to class 1 (a) buildings within the meaning of that Code.
- (2) This clause does not apply to a relocatable home that was constructed before 1 January 1996, whether installed before, on or after that date.
- (3) This clause is repealed on the commencement of a regulation made under section 146A of the *Environmental Planning and Assessment Act 1979* that applies to a relocatable home.

Subdivision 4 Installation**157 Footings**

- (1) A relocatable home or associated structure must be installed on footings if the engineer's certificate for the home or structure so requires.
- (2) The footings and tie-down system for the relocatable home or associated structure must be constructed in accordance with the engineer's certificate for the home or structure.
- (3) In the case of a relocatable home or associated structure that is placed on footings, the clearance beneath the home or structure must be:
 - (a) at least 400 millimetres, where termite shields are required to be installed, or
 - (b) at least 200 millimetres, where termite shields are not required to be installed, or
 - (c) such lesser clearance as the approval for the caravan park may allow,with adequate provision for underfloor cross-flow ventilation.
- (4) The clearance beneath the relocatable home is to be measured from the lowest point of the underside of the home's chassis or frame.

158 Installation to comply with specifications

A relocatable home or associated structure must not be installed on a dwelling site otherwise than in accordance with:

- (a) the specifications contained in the engineer's certificate issued in respect of the relocatable home or associated structure, or
- (b) such other specifications as are specified in the approval for the caravan park.

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159 Compliance plates

- (1) A compliance plate must be attached to an accessible part of each of the following structures:
 - (a) a relocatable home,
 - (b) an associated structure that forms part of a relocatable home,
 - (c) an associated structure that comprises a free-standing garage.
- (2) A compliance plate must specify the following:
 - (a) the name of the manufacturer of the relocatable home or associated structure,
 - (b) the unique identification number for each major section of the relocatable home,
 - (c) the month and year during which the relocatable home or associated structure was constructed,
 - (d) the design gust wind speed for the relocatable home or associated structure,
 - (e) a statement to the effect that the relocatable home or associated structure complies with the requirements of this Division,
 - (f) the name of the practising structural engineer by whom the engineer's certificate has been issued in respect of the relocatable home,
 - (g) whether a relocatable home is intended for use as a park van or holiday van.
- (3) A unique identification number must be permanently marked on each major section of the relocatable home.
- (4) The Minister may, by order published in the Gazette, issue specifications for the design, construction, issue and registration of compliance plates for the purposes of this clause.
- (5) A compliance plate must be designed, constructed, issued and registered in accordance with any specifications in force under this clause.

160 Notice of installation of relocatable home or associated structure

- (1) The holder of an approval to operate a caravan park or camping ground must give the council written notice of the installation of a relocatable home or associated structure within 7 days after the completion of the installation.

- (2) The notice:
- (a) must indicate the site identifier of the dwelling site on which the relocatable home or associated structure has been installed, and
 - (b) must include the particulars contained on each compliance plate relating to the relocatable home or associated structure.
- (3) The notice must also be accompanied by:
- (a) a copy of the engineer's certificate for the relocatable home or associated structure, and
 - (b) a fully dimensioned diagram of the dwelling site on which the relocatable home or associated structure is installed, sufficient to indicate whether or not the setback, density, open space and site delineation requirements of this Part have been complied with.

Division 5 Caravans, tents and annexes

Subdivision 1 Caravans

161 Setbacks for tents, caravans and associated structures and annexes

A tent or caravan (including any associated structure or annexe) must not be located:

- (a) closer than one metre to an access road, or
- (b) closer than 2 metres to the boundary of the camping ground or caravan park.

162 Site coverage

- (1) A tent or caravan (including any associated structure or annexe) must not be installed on a single dwelling site if the floor area of the tent or caravan (including any associated structure or annexe) is more than two-thirds of the area of the site.
- (2) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site.
- (3) Subclause (2) does not apply if the resident's parking space for that dwelling site is separate from the site.

163 Maintenance

A caravan (including any associated rigid annexe) that is installed in a caravan park must be maintained in a condition that is safe and healthy for persons to use.

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164 One caravan per dwelling site

- (1) No more than one caravan may be installed on a single dwelling site.
- (2) A caravan must not be installed on a dwelling site on which a relocatable home is installed.

165 Running gear

In the case of a caravan that is situated on flood liable land, the wheels, axles and draw bar of the caravan must not be removed, but must be maintained in proper working order.

Subdivision 2 Annexes

166 Structural soundness

- (1) A rigid annexe must be of a design certified by a practising structural engineer to be structurally sound.
- (2) A certificate issued under this clause:
 - (a) must indicate that the rigid annexe complies with any standards, codes and specifications with which it is, by this Part, required to comply, and
 - (b) must include specifications as to the manner in which the rigid annexe must be installed and as to the nature of the footings (if any) on which it must be installed.
- (3) Any specifications with respect to footings or tie-down systems must have regard to the design gust wind speed, soil type and other design considerations applicable to the various locations in which the annexe may be installed.

167 Design gust wind speed

A rigid annexe must be designed to resist loads as determined in accordance with the following design codes, as appropriate:

- (a) AS/NZS 1170.1:2002, *Structural design actions* Part 1: *Permanent, imposed and other actions*, as in force on 1 September 2005,
- (b) AS/NZS 1170.2:2002, *Structural design actions* Part 2: *Wind actions*, as in force on 1 September 2005, or AS 4055—1992 *Wind loads for housing*, as in force on 1 September 2005 (except that the design gust wind speed for the area where the manufactured home or associated structure is located is not to be taken to be less than 41 metres per second),
- (c) AS 1170.3—1990, *Minimum design loads on structures* Part 3: *Snow loads*, as in force on 1 September 2005,

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- (d) AS 1170.4—1993, *Minimum design loads on structures* Part 4: *Earthquake loads*, as in force on 1 September 2005.

168 Glazing

Glazing materials in an annexe must be selected and installed in accordance with the relevant provisions of AS 1288—1994, *Glass in buildings—Selection and installation* and, to the extent to which those provisions require the use of safety glass, in accordance with the relevant provisions of AS/NZS 2208: 1996, *Safety glazing materials in buildings*, each as in force on 1 September 2005.

169 Floor area

- (1) The enclosed floor area of all annexes that are attached to a caravan must not exceed the enclosed floor area of the caravan.
- (2) For the purposes of this clause, the floor area of a caravan that has a maximum internal width of less than 3.1 metres must be determined as if that width were 3.1 metres.

170 Installation of rigid annexe

A rigid annexe must be installed in accordance with the specifications contained in the certificate issued under clause 166.

Subdivision 3 General**171 Wind resistance**

Any caravan that is installed on a long-term site for more than 150 days and any holiday van or park van that is installed on a dwelling site must be restrained in accordance with the specifications of a practising structural engineer to withstand the wind forces applicable to the terrain category in which the dwelling site is located.

172 Compliance plates to be attached

- (1) A compliance plate must be attached to an accessible part of any rigid annexe.
- (2) A compliance plate must specify the following:
 - (a) the name of the manufacturer of the rigid annexe,
 - (b) the month and year during which the rigid annexe was constructed,
 - (c) the design gust wind speed for the rigid annexe,
 - (d) a statement to the effect that the rigid annexe complies with the requirements of this Division,

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- (e) the name of the practising structural engineer by whom the engineer's certificate has been issued in respect of the rigid annexe.

173 Notice of completion of installation

- (1) The holder of an approval to operate a caravan park or camping ground must give the council written notice of the installation of a rigid annexe within 7 days after its completion.
- (2) The notice:
 - (a) must indicate the site identifier of the dwelling site on which the rigid annexe has been installed, and
 - (b) must include the particulars contained on the compliance plate relating to the rigid annexe.
- (3) The notice must also be accompanied by:
 - (a) a copy of the engineer's certificate for the rigid annexe, and
 - (b) a fully dimensional diagram of the dwelling site on which the rigid annexe is installed, sufficient to indicate whether or not the setback, density, open space and site delineation requirements of this Part have been complied with.

Part 4 Miscellaneous

174 Inspections

In exercising its powers under the Act to enter and inspect a manufactured home estate, a caravan park or a camping ground, the council must ensure that the inspection is carried out, so far as practicable, in company with the holder of the approval for the manufactured home estate, caravan park or camping ground or an agent of the holder of that approval.

175 Savings

Any act, matter or thing that, immediately before the repeal of the *Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995* or the *Local Government (Manufactured Home Estates and Manufactured Homes) Regulation 1995*, had effect under either of those Regulations is taken to have effect under this Regulation.