



New South Wales

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment Regulation 2023

under the

Local Government Act 1993

[*The following enacting formula will be included if this regulation is made—*]

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

Minister for Local Government

Explanatory note

The object of this regulation is to repeal and remake most of the provisions of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

The regulation deals with approvals granted by a council under the *Local Government Act 1993*, Chapter 7, Part 1 to—

- (a) operate a manufactured home estate, caravan park or camping ground, and
- (b) install a manufactured home, moveable dwelling or associated structure.

The regulation provides for the following matters—

- (a) applications for approvals, the conditions of approvals and the circumstances in which approvals are not required,
- (b) the requirements for operating a manufactured home estate, caravan park or camping ground, including requirements relating to land, dwelling sites, setbacks, roads, parking, utilities and bathroom and laundry facilities,
- (c) the requirements for installing a manufactured home, relocatable home or associated structure in a manufactured home estate or caravan park, including requirements for design, construction and installation,
- (d) the requirements for installing a caravan, tent or associated structure in a caravan park,
- (e) the requirements for installing an annexe on a relocatable home or caravan,
- (f) the requirements for primitive camping grounds,
- (g) other minor and miscellaneous matters.

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Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment Regulation 2023

under the

Local Government Act 1993

1 Name of regulation

This regulation is the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment Regulation 2023*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

public consultation draft

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment Regulation 2023 [NSW]
Schedule 1 Amendment of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

Schedule 1 Amendment of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

[1] Section 1 Name of Regulation

Omit “*Camping Grounds and Moveable Dwellings*”.

Insert instead “*and Camping Grounds*”.

[2] Sections 4 and 4A

Omit section 4. Insert instead—

4 Definitions

- (1) The dictionary in Schedule 1 defines words used in this regulation.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

- (2) A reference in this regulation to an Australian Standard or an Australian and New Zealand Standard is a reference to the Australian Standard or Australian and New Zealand Standard as in force from time to time.

4A Approvals to connect to sewerage or drainage services

This regulation does not affect a requirement to obtain an approval under the Act, Chapter 7, Part 1 to connect a moveable dwelling or associated structure to sewerage or drainage services if the moveable dwelling is installed on land that is not in a caravan park or camping ground.

[3] Parts 2–7

Omit Parts 2–4. Insert instead—

Part 2 Approvals

Division 1 Granting of approvals—the Act, Sch 6, cl 8

5 Approval to operate manufactured home estate, caravan park or camping ground

The council must not grant an approval to operate a manufactured home estate, caravan park or camping ground unless satisfied that the manufactured home estate, caravan park or camping ground will be designed, constructed, maintained and operated in accordance with this regulation.

6 Approval for flood planning areas

- (1) The council must consider the flood planning matters before granting an approval—
- (a) to operate a manufactured home estate, caravan park or camping ground in a flood planning area, or
 - (b) to install a manufactured home, relocatable home, rigid annexe or associated structure in a flood planning area in a manufactured home estate or caravan park.
- (2) A council must not grant an approval to operate a manufactured home estate or caravan park in a flood planning area unless satisfied of the following—

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- (a) each habitable room in a manufactured home or relocatable home in the manufactured home estate or caravan park will have a floor level that is not lower than the minimum floor level specified in an applicable development control plan, if any,
 - (b) the manufactured home estate or caravan park will not result in increased flooding elsewhere in the floodplain, taking into account an engineering assessment,
 - (c) there is pedestrian and vehicular access to a readily accessible refuge above the probable maximum flood level,
 - (d) no long-term dwelling sites will be located in a flood planning area.
- (3) A council must not grant an approval to operate a camping ground in a flood planning area unless satisfied of the following—
- (a) the camping ground will not result in increased flooding elsewhere in the floodplain, taking into account an engineering assessment,
 - (b) there is pedestrian and vehicular access to a readily accessible refuge above the probable maximum flood level.
- (4) Subsections (2) and (3) do not apply to a manufactured home estate, caravan park or camping ground that existed immediately before the commencement of this section.
- (5) A council must not grant an approval that provides for a new long-term dwelling site to be located in a flood planning area in a manufactured home estate or caravan park that existed immediately before the commencement of this section.
- (6) Words used in this section have the same meaning as in the Flood Risk Management Manual.
- (7) In this section—
- engineering assessment*** means an assessment prepared by a professional engineer specialising in hydraulic or civil engineering.
- flood planning matters*** means—
- (a) the principles in the Flood Risk Management Manual, and
 - (b) other flood studies or risk management plans adopted by the council.

7 Approval to install moveable dwelling or associated structure

- (1) Before granting an approval to install a moveable dwelling or associated structure, the council must consider whether—
- (a) development consent has been granted under the *Environmental Planning and Assessment Act 1979*, or
 - (b) the installation of the moveable dwelling or associated structure contravenes the *Environmental Planning and Assessment Act 1979* or an environmental planning instrument.
- (2) This section applies to the installation of a moveable dwelling or associated structure on any land, whether or not in a manufactured home estate, caravan park or camping ground.

8 Approval to install manufactured home, relocatable home, rigid annexe or associated structure of more than 1 storey

Before granting an approval to install in a manufactured home estate or caravan park a manufactured home, relocatable home, rigid annexe or

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associated structure with more than 1 storey, the council must consider the likely impact on the amenity of—

- (a) occupiers of adjoining manufactured homes or relocatable homes, and
- (b) occupiers of land adjoining the manufactured home estate or caravan park.

Division 2 Applications for approvals—the Act, s 81

9 Application for approval to operate manufactured home estate, caravan park or camping ground

- (1) An application for an approval to operate a manufactured home estate, caravan park or camping ground must be accompanied by a map of the manufactured home estate, caravan park or camping ground (a *community map*).
- (2) A community map must—
 - (a) be drawn to a suitable scale, and
 - (b) show the following—
 - (i) access roads, road reserves, community amenities and community buildings,
 - (ii) the dwelling sites and camp sites,
 - (iii) the number, size, location and dimensions of dwelling sites or camp sites,
 - (iv) the location of fire extinguishers, fire hydrants and hose reels,
 - (v) the location of off-site parking spaces, if any.
- (3) A community map for a manufactured home estate or caravan park must be prepared by a surveyor, draftsman or other qualified person.
- (4) To avoid doubt, subsection (2)(b)(ii) and (iii) does not apply to a community map for a primitive camping ground if designated camp sites are not proposed in the primitive camping ground.

10 Application for approval to install moveable dwelling or associated structure

- (1) An application for approval to install a moveable dwelling or associated structure must be accompanied by the following—
 - (a) the plans and specifications for the moveable dwelling,
 - (b) the plans and specifications for fences already erected or intended to be erected,
 - (c) the site plan of the land,
 - (d) a sketch plan of the moveable dwelling showing—
 - (i) the height of the moveable dwelling, and
 - (ii) the proposed external configuration of the moveable dwelling in relation to the site.
- (2) The plans must—
 - (a) be drawn to a suitable scale, and
 - (b) not be less than A4 size, and
 - (c) show the following—
 - (i) a plan of each floor section and elevation,
 - (ii) the levels of the lowest floor, including the open area, if any, and adjacent ground,

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- (iii) the height, design, construction and provision for fire safety and fire resistance, if any.
- (3) The plans must be coloured or marked to show proposals to—
 - (a) carry out an alteration or rebuilding of an existing moveable dwelling, or
 - (b) modify plans and specifications submitted to the council.
- (4) The specification of the moveable dwelling must—
 - (a) describe the construction and materials used to construct the moveable dwelling and the method of drainage, sewerage and water supply, and
 - (b) state whether the materials will be new or second-hand, including particulars of any second-hand materials.
- (5) This section does not apply to a moveable dwelling if it is a vehicle capable of being registered under the *Road Transport Act 2013*.
- (6) This section applies to the installation of a moveable dwelling on any land, whether or not in a manufactured home estate, caravan park or camping ground.

Division 3 Approvals not required in certain circumstances—the Act, s 68(1)

11 Approval not required to install manufactured home or associated structure in manufactured home estate

- (1) An approval is not required to install a manufactured home in a manufactured home estate if the manufactured home is—
 - (a) designed, constructed and installed in accordance with this regulation, and
 - (b) not occupied by a person until a certificate of completion has been issued by the council under section 90.
- (2) An approval is not required to install an associated structure in a manufactured home estate if the associated structure is designed, constructed and installed in accordance with this regulation.
- (3) This section applies only if the installation is carried out by, or with the consent of, the holder of the approval to operate the manufactured home estate.
- (4) This section does not apply to the installation of a manufactured home or associated structure—
 - (a) in a flood planning area if the council has given written notice to the holder of the approval that the land is in a flood planning area, or
 - (b) with more than 1 storey.

12 Approval not required to install caravan, campervan or tent in caravan park or camping ground

- (1) An approval is not required to install the following in a caravan park or camping ground if it is installed in accordance with this regulation—
 - (a) a relocatable home or associated structure,
 - (b) a caravan, campervan, tent or annexe.

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- (2) This section applies only if the installation is carried out by, or with the consent of, the holder of the approval to operate the caravan park or camping ground.
- (3) This section does not apply to the installation of a relocatable home, rigid annexe or associated structure—
 - (a) in a flood planning area if the council has given written notice to the holder of the approval that the land is in a flood planning area, or
 - (b) with more than 1 storey.

13 Approval not required for temporary emergency moveable dwellings and associated structures

- (1) An approval is not required—
 - (a) to install a moveable dwelling or associated structure in a caravan park or camping ground that is permitted without development consent under *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 10, or
 - (b) to operate the caravan park or camping ground.
- (2) To avoid doubt, this regulation, to the extent it applies to a caravan park or camping ground, does not apply to development that is permitted without development consent under *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 10.
- (3) An approval is not required to install a moveable dwelling or associated structure on land that is not in a caravan park or camping ground if the moveable dwelling or associated structure is—
 - (a) used to accommodate a person who has been displaced as a result of a natural disaster, and
 - (b) maintained in a condition that is safe and healthy for the use of a person, and
 - (c) not installed on the land for more than—
 - (i) 2 years, or
 - (ii) the longer period specified in the council's local approvals policy under the Act, Chapter 7, Part 3, as in force from time to time.

14 Approval not required to install caravan, campervan or tent on Crown land or national park land

An approval is not required to install a caravan, campervan or tent on—

- (a) a Crown reserve, or
- (b) land reserved or dedicated under the *National Parks and Wildlife Act 1974*.

Note— The use of caravans, campervans and tents on Crown reserves is dealt with under the *Crown Land Management Act 2016*. The use of caravans, campervans and tents on lands reserved or dedicated under the *National Parks and Wildlife Act 1974* is dealt with under that Act.

15 Approval not required to install caravan, campervan or tent outside caravan park or camping ground

- (1) An approval is not required to install a single caravan or campervan on land that is not in a caravan park or camping ground if—
 - (a) the area occupied by the caravan or campervan when fully extended and including an associated structure or annexe does not exceed 20m², and

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- (b) the caravan or campervan is installed—
 - (i) for no more than 6 months, and
 - (ii) behind the front building line, and
 - (iii) at least 900mm from each side and rear lot boundary, and
 - (c) the caravan or campervan is maintained in a condition that is safe and healthy for the use of a person.
- (2) A person who installs a caravan or campervan without approval, in accordance with subsection (1), must give written notice to the council at least 2 days before the installation.
 - (3) An approval is not required to install a caravan or campervan on pastoral or agricultural land if the caravan or campervan is occupied seasonally by persons employed in pastoral or agricultural operations on the land only.
 - (4) Subsections (1)–(3) apply only if there is a dwelling house erected on the land.
 - (5) An approval is not required to install a tent on land that is not in a caravan park or camping ground if the tent is installed—
 - (a) on the land for no more than 30 consecutive days, and
 - (b) behind the front building line.

Division 4 Content and conditions of approvals—the Act, s 98(2) and Sch 6, cl 7

16 Content of approval to operate manufactured home estate

An approval to operate a manufactured home estate must specify, by reference to a plan and a community map, the number, size and location of the dwelling sites allowed under the approval.

17 Content of approval to operate caravan park or camping ground

- (1) An approval to operate a caravan park must specify the following—
 - (a) the number, size and location of long-term and short-term dwelling sites allowed under the approval,
 - (b) the number, size and location of dwelling sites, whether long-term or short-term, to be reserved for self-contained moveable dwellings,
 - (c) the location of any off-site parking spaces for dwelling sites,
 - (d) the location of any flood planning area in the caravan park,
- (2) An approval to operate a camping ground must specify the following—
 - (a) whether the camping ground is a primitive camping ground,
 - (b) for a primitive camping ground with designated camp sites—the number, size and location of the camp sites allowed under the approval,
 - (c) for a primitive camping ground without designated camp sites—the maximum number of caravans, campervans and tents permitted to use the camping ground at the same time.
 - (d) the location of any off-site parking spaces for designated camp sites,
 - (e) the location of any flood planning area in the camping ground.
- (3) The number, size and location of dwelling sites and camp sites allowed under an approval to operate a caravan park or camping ground must be specified by reference to a community map.

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- (4) In calculating the number of tents permitted to use a camping ground, 2 or more tents occupied by a group of no more than 12 persons camping together must be counted as 1 tent.
- (5) A single approval may be granted to operate a caravan park and camping ground.

18 Compliance with regulation

- (1) It is a condition of an approval to operate a manufactured home estate, caravan park or camping ground that the manufactured home estate, caravan park or camping ground is designed, constructed, maintained and operated in accordance with this regulation.
- (2) It is a condition of an approval to install a relocatable home, associated structure or rigid annexe on land other than land in a caravan park or camping ground that the relocatable home, associated structure or rigid annexe must be designed, constructed and installed in accordance with this regulation.
- (3) For subsection (2)—
 - (a) a reference in this regulation to a caravan park is taken to be a reference to the land on which the relocatable home, associated structure or rigid annexe will be installed, and
 - (b) a reference in this regulation to an approval to operate a caravan park is taken to be a reference to an approval to install the relocatable home, associated structure or rigid annexe.
- (4) It is a condition of an approval to install a manufactured home, relocatable home, rigid annexe or associated structure in a flood planning area that the manufactured home, relocatable home, rigid annexe or associated structure is designed, constructed and installed in accordance with this regulation.

19 Length of stay in caravan park or camping ground

- (1) It is a condition of an approval to operate a caravan park that an occupier must not be permitted to stay in a short-term dwelling site for more than 180 days in a 12-month period.
- (2) It is a condition of an approval to operate a primitive camping ground that an occupier must not be permitted to stay for more than 50 days in a 12-month period.
- (3) It is a condition of an approval to operate a camping ground that is not a primitive camping ground that an occupier must not be permitted to stay for more than 90 days in a 12-month period.
- (4) In calculating the number of days an occupier stays, only overnight stays are counted.
- (5) The manager of a caravan park or camping ground may authorise a person to stay in the caravan park or camping ground, despite the requirements of this section, for a period not exceeding 2 years if the manager is reasonably satisfied that the person has been displaced as a result of—
 - (a) a natural disaster, or
 - (b) a pandemic.
- (6) This section does not apply to the operation of a caravan park or camping ground if the caravan park or camping ground is being operated—
 - (a) solely in connection with the use of the land for a sporting, recreational or cultural event, and

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- (b) for a period of no more than 6 weeks.
- (7) In this section—
 - manager* of a caravan park or camping ground includes the owner, operator or caretaker of the caravan park or camping ground.
 - occupier* does not include—
 - (a) a displaced person, or
 - (b) a resident manager of the caravan park or camping ground.

Part 3 Operation of manufactured home estates, caravan parks and camping grounds—the Act, Sch 6, cl 8

Division 1 Preliminary

20 Application of part

- (1) This part applies to manufactured homes estates, caravan parks and camping grounds.
- (2) This part does not apply to primitive camping grounds.

Division 2 Land, dwelling site and setback requirements

21 Size of manufactured home estates, caravan parks and camping grounds

- (1) A manufactured home estate or caravan park must not have an area of less than—
 - (a) 1 hectare, or
 - (b) if a lesser area is permitted on the land by an environmental planning instrument, the lesser area.
- (2) There is no minimum area for a camping ground.
- (3) A minimum of 10% of the total land area of a manufactured home estate, caravan park or camping ground must be reserved for recreation or other communal activities.

22 Size of dwelling sites and camp sites

- (1) A dwelling site in a manufactured home estate must have an area of at least 130m².
- (2) A long-term dwelling site in a caravan park must have an area of at least 80m².
- (3) A short-term dwelling site in a caravan park must have an area of at least 65m².
- (4) A camp site must have an area of at least—
 - (a) for a camp site for which a separate parking space is provided within 30m of the camp site—40m², or
 - (b) otherwise—50m².
- (5) A dwelling site in a manufactured home estate or caravan park must be numbered or identified with the boundaries of the dwelling site clearly outlined.
- (6) The site identification must be easily recognised.

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23 Dwelling sites to have road frontage

A dwelling site in a manufactured home estate or caravan park must have vehicular access to an access road.

24 Setbacks

- (1) A community building in a manufactured home estate or caravan park must not be located within 10m of a boundary of—
 - (a) a manufactured home estate, caravan park or camping ground, or
 - (b) a dwelling site, or
 - (c) a camp site.
- (2) A dwelling site in a manufactured home estate or caravan park or a camp site must not be located within—
 - (a) 10m of a public road, or
 - (b) 3m of a boundary of the manufactured home estate, caravan park or camping ground.
- (3) The council may allow a lesser distance if satisfied the community building, dwelling site or camp site is properly screened, fenced, enclosed or otherwise treated.

25 Use of buffer zones

This regulation does not prevent land within a required setback from being used for—

- (a) community amenities, access roads, car parking spaces, footpaths or landscaping, or
- (b) a similar purpose allowed by the council.

Division 3 Roads and parking

26 Entrance and exit roads

- (1) A road forming an entrance to or exit from a manufactured home estate must be at least 8m wide.
- (2) A road forming an entrance to or exit from a caravan park or camping ground must be at least 7m wide.
- (3) For a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5m.
- (4) The council may specify, in an approval to operate a manufactured home estate, caravan park or camping ground, the way in which an entrance or exit road must meet the sealed portion of other access roads.

27 Width of roads

- (1) The width of the road reserve in a manufactured home estate must be at least—
 - (a) 8.5m for a major access road, and
 - (b) 6m for a minor access road.
- (2) The width of the sealed portion of an access road in a manufactured home estate must be at least—
 - (a) 6m for a major access road, and
 - (b) 4m for a minor access road.

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- (3) If a manufactured home estate has a minor access road that is more than 80m long, there must be passing bays within the road reserve at intervals of no more than 100m.
- (4) The width of the sealed portion of an access road at a passing or parking bay in a manufactured home estate must be at least—
 - (a) 8.5m for a major access road, and
 - (b) 6m for a minor access road.
- (5) The width of an access road in a caravan park or camping ground must be at least—
 - (a) 6m for a two-way access road, and
 - (b) 4m for a one-way access road.
- (6) The direction of travel for a one-way access road in a caravan park or camping ground must be indicated by means of conspicuous signs.

28 Speed limits

- (1) The speed limit on an access road for a manufactured home estate must not exceed—
 - (a) 30km/h for major access roads, and
 - (b) 15km/h for minor access roads.
- (2) The speed limit on an access road for a caravan park or camping ground must not exceed 15km/h.
- (3) The speed limit on an access road in a manufactured home estate, caravan park or camping ground must be indicated by means of conspicuous signs.

34 Occupier parking

- (1) A caravan park or camping ground must have at least 1 occupier parking space for each dwelling site or camp site.
- (2) The parking space for a dwelling site or camp site may be on-site or off-site.
- (3) An off-site parking space must be marked to identify the dwelling site or camp site to which it relates.
- (4) An off-site parking space for a dwelling site or camp site must be in the location specified in the approval to operate the caravan park or camping ground.
- (5) An off-site parking space must be designed in accordance with AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking*.

29 Visitor parking

- (1) A manufactured home estate must have at least the following number of visitor parking spaces—
 - (a) for a manufactured home estate with no more than 35 sites—8 spaces,
 - (b) for a manufactured home estate with more than 35 sites, but no more than 70 sites—12 spaces,
 - (c) for a manufactured home estate with more than 70 sites, but no more than 105 sites—16 spaces,
 - (d) for a manufactured home estate with more than 105 sites—20 spaces plus 1 additional space for every 7 sites above 140 sites.

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- (2) A caravan park or camping ground must have at least 1 visitor parking space for—
 - (a) every 10, or remaining part of 10, long-term dwelling sites in the caravan park or camping ground, and
 - (b) every 20, or remaining part of 20, short-term dwelling sites in the caravan park or camping ground, and
 - (c) every 40, or remaining part of 40, camp sites in the caravan park or camping ground.
- (3) A caravan park or camping ground must have at least 4 visitor parking spaces.
- (4) A visitor parking space in a manufactured home estate, caravan park or camping ground must be—
 - (a) provided in accordance with AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking*, and
 - (b) clearly identified as a visitor parking space.

30 Visitor parking for people with disabilities

- (1) A manufactured home estate, caravan park or camping ground must have—
 - (a) at least 1 visitor parking space for people with a disability (a ***disabled parking space***), or
 - (b) if the manufactured home estate, caravan park or camping ground has 100 sites or more—at least 1 disabled parking space for every 100, and remaining part of 100, sites.
- (2) A disabled parking space in a manufactured home estate, caravan park or camping ground must be—
 - (a) provided in accordance with AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street parking*, and
 - (b) clearly identified as a disabled parking space.
- (3) A disabled parking space may be counted as a visitor parking space.

31 Road surfaces

All access roads in a manufactured home estate, caravan park or camping ground, including all passing and parking bays, must—

- (a) have an all-weather sealed or other surface finish specified in the approval to operate the manufactured home estate, caravan park or camping ground, and
- (b) be adapted to the land to enable adequate drainage and remove excessive grades.

32 Lighting

All access roads in a manufactured home estate, caravan park or camping ground must be adequately lit between sunset and sunrise.

33 Caravan park forecourts

A caravan park must have an area to accommodate incoming vehicles that is at least 4m by 20m.

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35 Car washing areas

- (1) A manufactured home estate or caravan park must have an area for washing vehicles.
- (2) The area must—
 - (a) consist of concrete, paving or other hard material, and
 - (b) be sloped to allow for drainage, and
 - (c) be connected to a sewage disposal system.
- (3) If a camping ground has an area for washing vehicles, the area must comply with subsection (2).

Division 4 Utilities

36 Water supply

- (1) A manufactured home estate, caravan park or camping ground must be—
 - (a) connected to a mains water supply, or
 - (b) provided with an alternative water supply service as specified in the approval to operate the manufactured home estate, caravan park or camping ground.
- (2) A dwelling site on a manufactured home estate or caravan park must be connected to the water supply service for the manufactured home estate, or caravan park.
- (3) A dwelling site on a caravan park must have—
 - (a) a separate water meter, and
 - (b) a separate water service isolating valve.
- (4) The water supply service for a manufactured home estate, caravan park or camping ground must comply with—
 - (a) the *Plumbing and Drainage Act 2011* and the regulations made under that Act, and
 - (b) the requirements of a relevant statutory body.
- (5) Each water supply connection in a caravan park or camping ground must—
 - (a) be located within 30m of 4 camp sites, and
 - (b) include a standpipe and hose tap.
- (6) The water supplied for human consumption or domestic purposes must comply with the *Australian Drinking Water Guidelines 6* published in October 2011 by the National Health and Medical Research Council.

37 Sewerage

- (1) A manufactured home estate, caravan park or camping ground must be—
 - (a) connected to a main sewer, or
 - (b) provided with an alternative sewage disposal system as specified in the approval to operate the manufactured home estate, caravan park or camping ground.
- (2) A dwelling site in a manufactured home estate and a long-term dwelling site in a caravan park must be connected to the sewage disposal system for the manufactured home estate or caravan park.

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- (3) The sewage disposal system must comply with—
 - (a) the *Plumbing and Drainage Act 2011* and the regulations made under that Act, and
 - (b) the requirements of a relevant statutory body.
- (4) A caravan park or camping ground must have at least 1 soil waste dump point—
 - (a) for the disposal of closet waste from caravan holding tanks, and
 - (b) located to permit adequate access by caravans and campervans.
- (5) Short-term dwelling sites must be provided with a disposal point—
 - (a) for the disposal of sullage from a moveable dwelling installed on the site, and
 - (b) as specified in the approval to operate the manufactured home estate, caravan park or camping ground.
- (6) In this section—

sullage means domestic waste from baths, basins, showers, laundries and kitchens, including floor waste.

38 Drainage

- (1) A manufactured home estate, caravan park or camping ground must have a stormwater drainage system as specified in the approval to operate the manufactured home estate, caravan park or camping ground.
- (2) A dwelling site in a manufactured home estate must be—
 - (a) connected with the stormwater drainage system for the manufactured home estate, or
 - (b) provided with an on-site stormwater drainage system.
- (3) All dwelling sites and camp sites must be adequately drained.
- (4) A stormwater drainage system must comply with—
 - (a) the Plumbing Code of Australia, and
 - (b) the requirements of a relevant statutory body.

39 Electricity supply

- (1) Each dwelling site in a manufactured home estate or caravan park must be supplied with electricity from a reticulated electricity service by an electrical circuit connected to a separate electricity meter.
- (2) The maximum capacity of the electrical circuit supplying a dwelling site is not required to be more than 32 amperes if the site is provided with gas, whether by a reticulated gas service or on-site gas containers.
- (3) The electrical circuit must be installed in accordance with AS/NZS 3001:2008, *Electrical installations—Transportable structures and vehicles including their site supplies*.
- (4) If a dwelling site is provided with electricity other than by a direct connection to the local electricity supply authority's electricity main, the occupant of the dwelling site may only be charged reasonable charges for the supply of the electricity.

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40 Telephone lines

- (1) A dwelling site in a manufactured home estate and a long-term dwelling site in a caravan park must have a fixed line, fixed wireless or satellite telephone connection.
- (2) The telephone connection must be installed in accordance with *Telecommunications in New Developments Policy* issued by the Commonwealth Minister for Communications, Cyber Safety and the Arts in September 2020.

41 Common trenches

A common trench may be used for the installation of services in a manufactured home estate, caravan park or camping ground in accordance with the following standards—

- (a) AS/NZS 5601.1:2013, *Gas installations, Part 1: General installations*,
- (b) AS/NZS 5601.12:2020, *Gas installations, Part 2: Gas installations in caravans and boats for non-propulsive purposes*,
- (c) AS/NZS 3500.1:2021, *Plumbing and drainage, Part 1: Water services*,
- (d) AS/NZS 3500.2:2021, *Plumbing and drainage, Part 2: Sanitary plumbing and drainage*,
- (e) AS/NZS 3000:2018, *Electrical installations*.

42 Garbage removal

Arrangements specified in an approval to operate a manufactured home estate, caravan park or camping ground must be implemented and maintained—

- (a) for the removal of garbage, and
- (b) to keep garbage receptacles in a clean and sanitary condition.

Division 5 Bathrooms

43 Calculations

In calculating the number of shower and toilet facilities for this division—

- (a) 2 camp sites are taken to be equivalent to 1 dwelling site, and
- (b) the following must not be included—
 - (i) a dwelling site reserved for use by self-contained moveable dwellings,
 - (ii) a dwelling site that has an ensuite.

44 Required number of showers and toilets

- (1) A caravan park or camping ground with fewer than 200 dwelling sites must have the facilities specified in the table to this section.
- (2) A caravan park or camping ground with at least 200 dwelling sites must have the facilities specified in the approval to operate the caravan park or camping ground.
- (3) In considering the facilities to specify in the approval to operate a caravan park or camping ground with at least 200 dwelling sites, the council must consider the quantities specified in the table to this section.
- (4) A requirement under this section for a shower may be satisfied by providing a bathtub.

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- (5) A requirement under this section for a urinal may be satisfied by providing—
- (a) a urinal intended to be used by 1 person, or
 - (b) a 600mm length of a urinal facility.

Facilities for caravan parks or camping grounds with fewer than 200 sites

Sites	Toilets		Urinals	Showers		Hand basins	
	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

45 Facilities for people with disabilities

- (1) A caravan park or camping ground with fewer than 100 dwelling sites must have at least—
- (a) 1 disabled bathroom for each sex, or
 - (b) 1 unisex disabled bathroom.
- (2) A caravan park or camping ground with at least 100 dwelling sites must have—
- (a) 2 disabled bathrooms for each sex, or
 - (b) 2 unisex disabled bathrooms, or
 - (c) 1 disabled bathroom for each sex and 1 unisex disabled bathroom.
- (3) A disabled bathroom may be counted towards the required facilities for the caravan park or camping ground.
- (4) In this section—
- disabled bathroom*** means a room with shower, toilet and other associated facilities designed in accordance with AS 1428.1:2021, *Design for access and mobility, Part 1: General requirements for access—New building work*.

46 Bathroom facilities

- (1) The showers and hand basins required by this regulation must be supplied with hot and cold running water.
- (2) A mirror must be provided—
- (a) for each hand basin, or
 - (b) if 2 or more hand basins are provided together—for each pair of hand basins.
- (3) A facility containing toilets for use by females must have at least—
- (a) for a facility containing 10 or more toilets for use by females—
 - (i) 1 sanitary napkin disposal unit, and

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- (ii) 1 additional sanitary napkin disposal unit for every 10 toilets or part of 10 toilets, or
- (b) otherwise—1 sanitary napkin disposal unit.

47 Construction of shower and toilet blocks

- (1) The shower and toilet facilities in a caravan park or camping ground must be housed in a shower or toilet block, unless otherwise provided in the approval to operate the caravan park or camping ground.
- (2) The shower or toilet block must have the following—
 - (a) a non-slip floor of tile or other impervious material adequately drained to floor waste,
 - (b) smooth, hard, durable and water-resistant interior finishes,
 - (c) shower recesses with tile or other impervious finishes to a height of at least 1.8m,
 - (d) tile or other impervious skirtings around toilet cubicle walls,
 - (e) tile or other impervious finishes around hand basins,
 - (f) adequate inside and outside lighting at all times,
 - (g) adequate ventilation at all times.
- (3) The walls, ceilings, floors, fixtures, fittings and appliances must be maintained in a clean and sanitary condition.
- (4) A building containing male and female facilities must be divided for the private use of each sex.
- (5) Toilets must be in individual cubicles with a minimum floor area of 1.1m² and a minimum width of 0.8m.

48 Proximity of dwelling sites to shower and toilet blocks

- (1) A long-term dwelling site in a caravan park must be located within 75m, measured in a straight line, from a shower or toilet block.
- (2) A short-term dwelling site in a caravan park or a camp site must be located within 100m, measured in a straight line, from a shower or toilet block.
- (3) This section does not apply to a dwelling site in a caravan park—
 - (a) reserved for use by self-contained moveable dwellings, or
 - (b) that has an ensuite.

Division 6 Laundry facilities

49 Calculations

In calculating the number of laundry facilities for this division, 2 camp sites are taken to be equivalent to 1 short-term dwelling site.

50 Washing machines and laundry tubs

- (1) A caravan park or camping ground must have at least—
 - (a) 1 washing machine for every 25, and remaining part of 25 greater than 12, long-term dwelling sites, and
 - (b) 1 washing machine for every 30, and remaining part of 30 greater than 15, short-term dwelling sites.

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- (2) Despite subsection (1), a caravan park or camping ground must have at least 2 washing machines.
- (3) A caravan park or camping ground must have at least—
 - (a) 1 laundry tub for every 50, and remaining part of 50, long-term dwelling sites, and
 - (b) 1 laundry tub for every 60, and remaining part of 60, short-term dwelling sites.
- (4) Despite subsection (3), a caravan park or camping ground must have at least 1 laundry tub.
- (5) The washing machines and laundry tubs must be supplied with hot and cold water.

51 Clothes drying facilities

- (1) A caravan park or camping ground must have at least the following—
 - (a) 1 electric clothes dryer for every 60, and remaining part of 60 greater than 30, long-term dwelling sites,
 - (b) 1 electric clothes dryer for every 80, and remaining part of 80 greater than 40, short-term dwelling sites.
- (2) Despite subsection (1), a caravan park or camping ground must have at least 1 electric clothes dryer.
- (3) A caravan park or camping ground must have adequate clothes lines.

52 Construction of laundry blocks

- (1) The laundry facilities in a caravan park or camping ground must be housed in a laundry block, unless otherwise provided in the approval to operate the caravan park or camping ground.
- (2) The laundry block must have the following—
 - (a) a non-slip floor of tile or other impervious material adequately drained to floor waste,
 - (b) smooth, hard, durable and water-resistant interior finishes,
 - (c) adequate inside and outside lighting at all times,
 - (d) adequate ventilation at all times.
- (3) The walls, ceilings, floors, fixtures, fittings and appliances must be maintained in a clean and sanitary condition.
- (4) The laundry block must be maintained in a serviceable and safe condition.

Division 7 Information for occupiers and visitors

53 Access to documents

- (1) The holder of an approval to operate a manufactured home estate must ensure copies of the approval and the community map are available for inspection free of charge in the location specified in the approval.
- (2) The holder of an approval to operate a caravan park or camping ground must ensure copies of the approval and the community map are displayed in a prominent position in the caravan park or camping ground.

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54 Register of occupiers

- (1) A register of occupiers must be kept for a caravan park or camping ground.
- (2) At least 1 person who occupies each dwelling site in a caravan park or camp site must be registered.
- (3) The register must include the following particulars about the person—
 - (a) full name and address,
 - (b) dates of arrival and departure,
 - (c) the site identification of the site occupied by the person,
 - (d) if the person occupies a caravan or campervan—the registration number, if any, of the caravan or campervan,
 - (e) details of the compliance plate for the manufactured home, associated structure or rigid annexe.
- (4) The register must be available for inspection by an authorised person, free of charge, during normal working hours.

55 Information to be given to prospective occupiers

- (1) The holder of an approval to operate a caravan park or camping ground must enter an agreement with each person who intends to—
 - (a) occupy a dwelling site or camp site, or
 - (b) occupy a long-term dwelling site for a holiday.
- (2) The holder of the approval must give the person written notice of the conditions of occupation before entering the agreement.
- (3) The notice must include the following information—
 - (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 the person's occupation of the dwelling site or camp site will cease,
 - (c) for an agreement relating to occupation of a short-term dwelling site or camp site—the maximum number of days the person may stay on the site in a 12-month period,
 - (d) the rules of the caravan park or camping ground,
 - (e) a telephone number for contacting the holder of the approval, or the holder's agent, in 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 any charges for use of the amenities,
 - (h) the location of each fire extinguisher, fire hose reel and fire hydrant installed in the caravan park or camping ground,
 - (i) if the council has given written notice to the holder of the approval that land in the caravan park or camping ground is in a flood planning area or is bush fire prone land—the location of the flood planning area or bush fire prone land,

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- (j) other matters affecting the person's occupation of the dwelling site or camp site or use of the caravan park or camping ground and the amenities.
- (4) In this section—
bush fire prone land in an area means land shown as bush fire prone land on a bush fire prone land map for the area certified under the *Environmental Planning and Assessment Act 1979*, section 10.3(2).

Division 8 Miscellaneous

56 Fire hydrants

- (1) No part of a dwelling site, camp site or community building in a manufactured home estate, caravan park or camping ground may be located more than 90m from a fire hydrant.
- (2) Each fire hydrant must be—
 - (a) a double-headed pillar-type fire hydrant, and
 - (b) installed in accordance with AS 2419.1:2021, *Fire hydrant installations, Part 1: System design, installation and commissioning*, and
 - (c) maintained in accordance with AS 1851—2012, *Routine servicing of fire protection systems and equipment*.
- (3) The holder of an approval to operate a manufactured home estate, caravan park or camping ground must give the council a certificate—
 - (a) 7 days after the installation of a fire hydrant, and
 - (b) at least once every 12 months for each fire hydrant installed in the manufactured home estate, caravan park or camping ground.
- (4) The certificate must state the following—
 - (a) the fire hydrant has been inspected and tested by an appropriately qualified person,
 - (b) on the date of inspection and testing, the fire hydrant is capable of performing to the required standard.

57 Fire hose reels

- (1) Fire hose reels must be installed so that each dwelling site in a caravan park or camp site in a camping ground can be reached by a fire hose.
- (2) Each fire hose reel must be—
 - (a) constructed in accordance with AS/NZS 1221:1997, *Fire hose reels*, and
 - (b) installed in accordance with AS 2441—2005, *Installation of fire hose reels*, and
 - (c) maintained in accordance with AS 1851:2012, *Routine servicing of fire protection systems and equipment*.
- (3) The holder of an approval to operate a caravan park or camping ground must give the council a certificate—
 - (a) 7 days after the installation of a fire hose reel, and
 - (b) at least once every 12 months for each fire hose reel installed in the caravan park or camping ground.

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- (4) The certificate must state the following—
 - (a) the fire hose reel has been inspected and tested by an appropriately qualified person,
 - (b) on the date of inspection and testing, the fire hose reel is capable of performing to the required standard.

58 Erection of buildings

- (1) A building must not be erected in a manufactured home estate, caravan park or camping ground unless the approval to operate the manufactured home estate, caravan park or camping ground allows for the erection of the building.
- (2) An approval to operate a manufactured home estate may allow for the following buildings only to be erected in the manufactured home estate—
 - (a) community buildings,
 - (b) brick or masonry walls that are—
 - (i) separating walls between adjoining manufactured homes, or
 - (ii) external facades to manufactured homes.
- (3) An approval to operate a manufactured home estate may allow for the erection of a brick or masonry wall that is an external facade to a manufactured home only if—
 - (a) the dwelling site on which the manufactured home is located is a neighbourhood lot, and
 - (b) the owner of the manufactured home is the owner of the neighbourhood lot.
- (4) An approval to operate a caravan park or camping ground may allow for the erection of the following—
 - (a) a community building on land in the caravan park or camping ground that is not a dwelling site or camp site, and
 - (b) an ensuite on a dwelling site in a caravan park.
- (5) In this section—

neighbourhood lot has the same meaning as in the *Community Land Development Act 2021*.

59 Use of manufactured home estates, caravan parks and camping grounds

- (1) A manufactured home estate, caravan park or camping ground must not be used for the manufacture, construction or reconstruction of moveable dwellings.
- (2) A manufactured home may be used for exhibition purposes.
- (3) An approval is not required to renovate, maintain or repair—
 - (a) a manufactured home in a manufactured home estate, or
 - (b) a moveable dwelling in a caravan park or camping ground.
- (4) To avoid doubt, an approval is required for the reconstruction of a manufactured home in a manufactured home estate or a moveable dwelling in a caravan park or camping ground.

60 Maximum number of persons for dwelling sites and camp sites

No more than 12 persons may be permitted to stay overnight at a dwelling site in a caravan park or camp site at the same time.

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Part 4 Installation of manufactured homes, relocatable homes and associated structures—the Act, Sch 6, cl 8

Division 1 General

61 Application of part

This part applies to the installation of manufactured homes, relocatable homes and associated structures in manufactured home estates and caravan parks.

62 Specifications for design, construction and installation of manufactured homes, relocatable homes and associated structures

- (1) The Minister may, by order published in the Gazette, set specifications for the design, construction, installation, modification and extension of manufactured homes, relocatable homes and associated structures in a manufactured home estate or caravan park.
- (2) The specifications may adopt, with or without modification, the provisions of a rule, standard or code of practice.
- (3) A manufactured home, relocatable home or associated structure in a manufactured home estate or caravan park must be designed, constructed, installed, modified and extended in accordance with the specifications.

63 Installation of manufactured homes in manufactured home estates and caravan parks only on dwelling sites

- (1) A manufactured home installed in a manufactured home estate or caravan park must only be installed on a dwelling site.
- (2) This section does not apply to a manufactured home that is used only—
 - (a) for a community amenity, or
 - (b) as a manager’s or caretaker’s office or residence.

64 Manufactured homes and relocatable homes to be constructed and assembled off-site

- (1) A manufactured home or relocatable home must not be installed on a dwelling site in a manufactured home estate or caravan park unless each major section of the manufactured home or relocatable home is—
 - (a) constructed and assembled at a place of manufacture outside the manufactured home estate or caravan park, and
 - (b) transported to the manufactured home estate or caravan park from the place.
- (2) The following work may be carried out on the dwelling site—
 - (a) the fixing of cornices,
 - (b) the setting of wall lining joints,
 - (c) the fitting of skirting boards and architraves,
 - (d) the grouting of tiles.

65 Installation allowed only if dwelling site is properly serviced

A manufactured home must not be installed on a dwelling site in a manufactured home estate or caravan park unless the dwelling site complies with this regulation.

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66 Density

No more than 1 manufactured home or relocatable home may be installed on a single dwelling site in a manufactured home estate or caravan park.

67 Setbacks

A manufactured home, relocatable home or associated structure installed in a manufactured home estate or caravan park must not be located within—

- (a) 1m of a road reserve, or
- (b) 2m of a boundary of the manufactured home estate or caravan park.

68 Site coverage

- (1) The floor area of a manufactured home, relocatable home or associated structure must not exceed 65% of the area of the dwelling site.
- (2) If there is no carport or garage on the dwelling site, and no off-site parking space, the site must have an area that is—
 - (a) at least 6m by 3m, and
 - (b) accessible from an access road, and
 - (c) used for car parking.
- (3) In this section—

floor area means—

 - (a) the area occupied by the manufactured home or relocatable home, including associated structures or other buildings, but not including an area without a roof, and
 - (b) if there is no carport or garage on the dwelling site—an additional area of 18m².

69 Minimum open space requirements for dwelling sites in manufactured home estates

- (1) A dwelling site in a manufactured home estate must have at least 30m² of open space.
- (2) An open space must include at least 1 area with minimum dimensions of 3m by 3m.
- (3) In calculating the area of open space in a dwelling site, a space with a width or length of less than 2m must not be included.
- (4) In this section—

open space means space on which there is no building, structure or car parking space.

70 Site boundaries

- (1) A manufactured home must not be installed in a manufactured home estate within 1m of a boundary of an adjoining dwelling site unless—
 - (a) it is not practical to install a manufactured home on the part of the adjoining site that is within 2m of the proposed manufactured home, and
 - (b) there will be at least 1m wide access along each external wall of the proposed manufactured home.
- (2) Subsection (1) does not apply to the installation of semi-detached manufactured homes or relocatable homes on adjoining dwelling sites if the

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homes are separated by construction that complies with the fire safety and sound insulation provisions in the *Building Code of Australia*, Volume Two, section 3.7.1 and 3.8.6 for class 1 buildings.

- (3) A moveable dwelling must not be installed in a long-term dwelling site within 1.5m of the boundary of another dwelling site.
- (4) A moveable dwelling must not be installed on a short-term dwelling site or camp site within 0.9m of the boundary of another dwelling site.

71 Garages

- (1) A garage associated with a manufactured home or relocatable home in a manufactured home estate or caravan park may adjoin a site boundary.
- (2) A shared double carport or shared double garage may extend over a site boundary.
- (3) Adjacent garages may adjoin along a shared site boundary.
- (4) If a garage on a dwelling site is located within 900mm of both the manufactured home or relocatable home and the boundary of an adjoining dwelling site—
 - (a) the external walls of the manufactured home or relocatable home that face the garage must comply with the *Building Code of Australia*, Volume Two, section 3 for class 1 buildings, or
 - (b) the external walls of the garage that face the manufactured home or relocatable home must comply with the *Building Code of Australia*, Volume Two, section 3 for class 10 buildings.
- (5) In this section—
site boundary of a manufactured home estate or caravan park means the boundary of a dwelling site, other than a boundary fronting an access road.

72 Carports

- (1) The following parts of a carport in a manufactured home estate or caravan park must be non-combustible—
 - (a) the roof covering,
 - (b) the ceiling lining,
 - (c) the wall cladding,
 - (d) the gable.
- (2) The carport must have at least—
 - (a) 2 open sides, and
 - (b) one-third of the perimeter open.
- (3) The roof covering of the carport must be at least 500mm from—
 - (a) the manufactured home, relocatable home, associated structure, and
 - (b) the boundary of a dwelling site, other than a boundary fronting an access road.
- (4) The carport must not provide direct vertical support to the manufactured home or relocatable home.
- (5) If the carport shares a roof with a manufactured home or relocatable home and the carport does not have a ceiling, the opening between the top of the wall of

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the manufactured home or 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.

73 Associated structures not to have habitable rooms

An associated structure must not be designed or modified to be capable of being used as a habitable room.

Division 2 Design

74 Structural soundness

- (1) The design of a manufactured home, relocatable home or associated structure must be certified by a structural engineer as structurally sound.
- (2) The engineer's certificate must—
 - (a) certify that the manufactured home, relocatable home or associated structure complies with all relevant standards, codes and specifications, and
 - (b) include specifications for—
 - (i) the way in which the manufactured home, relocatable home or associated structure must be transported and installed, and
 - (ii) the footings, if any, on which the manufactured home, relocatable home or associated structure must be installed.
- (3) Specifications for footings or tie-down systems must consider—
 - (a) the design gust wind speed, and
 - (b) the soil type, and
 - (c) other design considerations relevant to the location in which the manufactured home, relocatable home or associated structure will be installed.
- (4) This section does not apply to fences or privacy screens.

75 Design gust wind speed

- (1) A manufactured home, relocatable home or associated structure must be designed in accordance with the following—
 - (a) AS/NZS 1170.1:2002, *Structural design actions—Part 1: Permanent, imposed and other actions*,
 - (b) AS/NZS 1170.2:2011, *Structural design actions: Wind actions* or AS 4055:2021, *Wind loads for housing*,
 - (c) AS/NZS 1170.3:2003, *Structural design actions, Part 3: Snow and ice actions*,
 - (d) AS 1170.4—2007, *Structural design actions, Part 4: Earthquake actions in Australia*.
- (2) The design gust wind speed for the location of a manufactured home, relocatable home or associated structure is taken to be at least 41m/s.

76 Enclosed floor area

- (1) The enclosed floor area of a manufactured home must be at least 35m².

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- (2) The enclosed floor area of a relocatable home that is not a manufactured home must be at least 15m².

77 Floor areas of certain rooms

- (1) The floor area of a bathroom in a manufactured home or relocatable home must be at least 2.2m² plus an additional—
- (a) 0.6m² if the bathroom has a separate shower and bath, and
 - (b) 0.7m² if the bathroom has a toilet, and
 - (c) 1.6m² if—
 - (i) the manufactured home or relocatable home does not include a separate laundry, or
 - (ii) for a relocatable home that is not a manufactured home—the home is not used or intended to be used as a holiday or park van.
- (2) The floor area of a shower room in a manufactured home or relocatable home must be at least 1.1m².
- (3) If a toilet is installed in a separate room in a manufactured home or relocatable home, the room must have—
- (a) an area of at least 1.1m², and
 - (b) a width of at least 0.8m.
- (4) The floor area of a laundry in a manufactured home or relocatable home must be at least 1.6m².

78 Ceiling heights

- (1) The ceiling height of a habitable room in a manufactured home or relocatable home must be at least 2.4m.
- (2) If a habitable room in a manufactured home or relocatable home has a sloping ceiling, the ceiling height may be less than 2.4m if—
- (a) the floor area of the part of the room with a ceiling height of less than 2.4m does not exceed one-third of the floor area of the room, and
 - (b) the ceiling height is suitable for the intended use of the room.
- (3) The ceiling height of a kitchen, laundry, hallway or other similar room or area in a manufactured home or relocatable home must be at least 2.1m.

79 Separation of kitchen areas

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

80 Lighting and ventilation

- (1) A manufactured home or relocatable home must have adequate provision for light and ventilation.
- (2) A habitable room in a manufactured home or relocatable home must have at least—
- (a) 1 window, or
 - (b) 1 opening into an adjoining room that has at least 1 window.
- (3) The window or opening, or a combination of both, in a habitable room must—
- (a) have a total area of at least 10% of the floor area of the room, and

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- (b) include an area of at least 5% of the floor area of the room that is capable of being opened.
- (4) If the habitable room has no windows, the window in the adjoining room must—
 - (a) have a total area of at least 10% of the floor area of both the habitable room and the adjoining room, and
 - (b) include an area of at least 5% of the floor area of both the habitable room and the adjoining room that is capable of being opened.

Division 3 Construction

81 Termite shields

Termite shields or barriers for a manufactured home, relocatable home or associated structure must be provided in accordance with AS 3660.1—2014, *Termite management, Part 1: New building work* to protect structural members, if any, that are susceptible to attack by termites.

82 Glazing

Glazing materials for a manufactured home, relocatable home or associated structure must be selected and installed in accordance with—

- (a) AS 1288—2021, *Glass in buildings—Selection and installation*, and
- (b) if safety glass is required—AS/NZS 2208:1996, *Safety glazing materials in buildings*.

83 Waterproofing

- (1) The following parts of a manufactured home or relocatable home must be constructed to prevent rain or damp penetrating to the inner parts of the home—
 - (a) the roof,
 - (b) the external walls,
 - (c) the door and window frames.
- (2) The floors of the following parts of a manufactured home or relocatable home must be impervious to water—
 - (a) a bathroom or shower room,
 - (b) a room containing a toilet or washing machine.
- (3) The walls of a shower enclosure in a manufactured home or relocatable home must be impervious to water to a height of at least 1.8m above the floor.
- (4) If a shower in a manufactured home or relocatable home is not enclosed, the walls within 1.5m of the shower fitting must be impervious to water.
- (5) A wall in a manufactured home or relocatable home that is within 75mm of a bath, basin or similar bathroom fixture must be impervious to water to a height of at least 150mm above the fixture.
- (6) The requirements of subsections (2)–(5) are taken to be satisfied if the manufactured home or relocatable home complies with AS 3740—2021, *Waterproofing of domestic wet areas*.

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84 Plumbing and drainage

- (1) All pipes and fittings in a manufactured home or relocatable home relating to water supply or sewerage must be installed in accordance with—
 - (a) the *Plumbing and Drainage Act 2011* and the regulations made under that Act, and
 - (b) the requirements of a relevant statutory body.
- (2) All pipes and fittings in a manufactured home or relocatable home relating to stormwater drainage must be installed in accordance with—
 - (a) the Plumbing Code of Australia, and
 - (b) the requirements of a relevant statutory body.

85 Electrical wiring

The electrical wiring in a manufactured home or relocatable home must comply with AS/NZS 3000:2018, *Electrical installations*.

Division 4 Installation

86 Footings

- (1) A manufactured home, relocatable home or associated structure installed in a manufactured home estate or caravan park must be installed on footings if required by the engineer's certificate for the manufactured home, relocatable home or associated structure.
- (2) The footings and tie-down system for the manufactured home, relocatable home or associated structure must be constructed in accordance with the engineer's certificate.
- (3) The clearance beneath the manufactured home, relocatable home or associated structure must provide adequate underfloor cross-flow ventilation.
- (4) The clearance beneath the manufactured home, relocatable home or associated structure must be—
 - (a) if termite shields are required to be installed—at least 400mm, or
 - (b) otherwise—at least 200mm.
- (5) The clearance must be measured from the lowest point of the underside of the chassis or frame of the manufactured home or relocatable home.
- (6) An approval to install a manufactured home, relocatable home or associated structure may specify a lower clearance than specified in subsection (4).

87 Installation to comply with specifications

A manufactured home, relocatable home or associated structure must be installed on a dwelling site in accordance with—

- (a) the specifications set out in the engineer's certificate for the manufactured home, relocatable home or associated structure, or
- (b) other specifications specified in the approval to install the manufactured home, relocatable home or associated structure.

88 Compliance plate

- (1) A compliance plate must be attached to an accessible part of the following—
 - (a) a manufactured home or relocatable home,

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- (b) an associated structure forming part of a manufactured home or relocatable home,
 - (c) an associated structure comprising a freestanding garage.
- (2) A compliance plate must specify the following—
- (a) the name of the manufacturer of the manufactured home, relocatable home or associated structure,
 - (b) the unique identification number for each major section of the manufactured home or relocatable home,
 - (c) the month and year during which the manufactured home, relocatable home or associated structure was constructed,
 - (d) the design gust wind speed for the manufactured home, relocatable home or associated structure,
 - (e) a statement that the manufactured home, relocatable home or associated structure complies with this regulation,
 - (f) the name of the structural engineer who issued the engineer's certificate for the manufactured home, relocatable home or associated structure.
- (3) A unique identification number must be permanently marked on each major section of the manufactured home or relocatable home.
- (4) The Minister may, by order published in the Gazette, issue specifications for the design, construction, issue and registration of compliance plates.
- (5) A compliance plate must be designed, constructed, issued and registered in accordance with the specifications.

89 Notice of completion of installation

- (1) The holder of an approval to operate a manufactured home estate or caravan park must give the council written notice of the installation of a manufactured home, relocatable home or associated structure in the manufactured home estate or caravan park within 7 days after its completion.
- (2) The notice must—
- (a) indicate the site identifier of the dwelling site on which the manufactured home, relocatable home or associated structure has been installed, and
 - (b) include the particulars specified on each compliance plate for the manufactured home, relocatable home or associated structure.
- (3) The notice must be accompanied by—
- (a) a copy of the engineer's certificate for the manufactured home, relocatable home or associated structure, and
 - (b) a diagram of the dwelling site for the manufactured home, relocatable home or associated structure indicating whether the setback, density, open space and site identification requirements of this regulation have been complied with.

90 Certificates of completion

- (1) Within 20 business days after receiving written notice of the completion of the installation of a manufactured home, relocatable home or associated structure, the council must give the owner of the home or structure—
- (a) a certificate of completion for the manufactured home, relocatable home or associated structure, or

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- (b) a written notice that states why a certificate of completion is not being issued.
- (2) In determining whether or not to issue a certificate of completion, the council must consider the following matters—
 - (a) whether an engineer’s certificate has been issued for the manufactured home, relocatable home or associated structure,
 - (b) whether the installation of the manufactured home, relocatable home or associated structure complies with the specifications set out in the engineer’s certificate, if any,
 - (c) whether the setback, density, open space and site identification requirements of this regulation have been complied with,
 - (d) whether a compliance plate is attached to the manufactured home, relocatable home or associated structure in accordance with this regulation.

Part 5 Installation of caravans, tents and associated structures in caravan parks—the Act, Sch 6, cl 8

91 Application of part

- (1) This part applies to the installation of tents, caravans and associated structures in caravan parks.
- (2) This part does not apply to the installation of tents, caravans and associated structures in camping grounds.

92 Setbacks

A tent or caravan, including an associated structure or annexe, in a caravan park must not be located within—

- (a) 1m of an access road, or
- (b) 2m of the boundary of the caravan park.

93 Site coverage

- (1) The area occupied by a caravan, including an associated structure or annexe, must not exceed 65% of the area of the dwelling site.
- (2) If there is no carport or garage on the dwelling site and no off-site parking space, the dwelling site must have an area that is—
 - (a) at least 6m by 3m, and
 - (b) accessible from an access road, and
 - (c) used for car parking.

94 Maintenance

A caravan, including an associated rigid annexe, installed in a caravan park must be maintained in a condition that is safe and healthy for the use of a person.

95 Only 1 caravan per dwelling site

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

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96 Caravans in flood planning areas

The axles and draw bar of a caravan located in a flood planning area in a caravan park must—

- (a) not be removed, and
- (b) be maintained in good working order.

97 Wind resistance

The following must be restrained in accordance with the specifications of a structural engineer to withstand the wind forces applying to the terrain category in which the site is located—

- (a) a caravan installed on a long-term dwelling site for more than 180 days,
- (b) a holiday or park van installed on a dwelling site.

Part 6 Installation of annexes on relocatable homes and caravans—the Act, Sch 6, cl 8

98 Application of part

This part applies to the installation of annexes on relocatable homes and caravans.

Note— Annexes are not installed on manufactured homes.

99 Structural soundness

- (1) The design of a rigid annexe on a relocatable home or caravan must be certified by a structural engineer as structurally sound.
- (2) The engineer's certificate must—
 - (a) certify that the rigid annexe complies with all relevant standards, codes and specifications, and
 - (b) include specifications for—
 - (i) the transport and installation of the rigid annexe, and
 - (ii) the footings, if any, on which the rigid annexe must be installed.
- (3) Specifications for footings or tie-down systems must consider—
 - (a) the design gust wind speed, and
 - (b) the soil type, and
 - (c) other design considerations relevant to the location in which the annexe will be installed.

100 Design gust wind speed

- (1) A rigid annexe on a relocatable home or caravan must be designed in accordance with the following—
 - (a) AS/NZS 1170.1:2002, *Structural design actions—Part 1: Permanent, imposed and other actions*,
 - (b) AS/NZS 1170.2:2011, *Structural design actions: Wind actions* or AS 4055:2021, *Wind loads for housing*,
 - (c) AS/NZS 1170.3:2003, *Structural design actions, Part 3: Snow and ice actions*,
 - (d) AS 1170.4—2007, *Structural design actions, Part 4: Earthquake actions in Australia*.

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- (2) The design gust wind speed for the location of the rigid annexe is taken to be at least 41m/s.

101 Glazing

Glazing materials in a rigid annexe on a relocatable home or caravan must be selected and installed in accordance with—

- (a) AS 1288—2021, *Glass in buildings—Selection and installation*, and
(b) if safety glass is required—AS/NZS 2208:1996, *Safety glazing materials in buildings*.

102 Floor area

- (1) The enclosed floor area of all annexes attached to a relocatable home or caravan must not exceed the enclosed floor area of the relocatable home or caravan.
- (2) The floor area of a relocatable home or caravan with an internal width of less than 3.1m must be determined as if the width were 3.1m.

103 Installation of rigid annexe

A rigid annexe on a relocatable home or caravan must be installed in accordance with the specifications in the engineer's certificate.

104 Compliance plates to be attached

- (1) A compliance plate must be attached to an accessible part of a rigid annexe on a relocatable home or caravan on a dwelling site in a caravan park.
- (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 that the rigid annexe complies with this part,
(e) the name of the structural engineer who issued the engineer's certificate for the rigid annexe.

105 Notice of completion of installation of rigid annexe

- (1) The holder of an approval to operate a caravan park must give the council written notice of the installation of a rigid annexe on a relocatable home or caravan in the caravan park within 7 days after completion.
- (2) The notice must—
- (a) indicate the site identifier of the dwelling site on which the rigid annexe has been installed, and
(b) include the particulars specified on each compliance plate for the rigid annexe.
- (3) The notice must be accompanied by—
- (a) a copy of the engineer's certificate for the rigid annexe, and
(b) a diagram of the dwelling site for the rigid annexe indicating whether the setback, density, open space and site identification requirements of this regulation have been complied with.

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Part 7 Miscellaneous—the Act, Sch 6, cl 8

106 Primitive camping grounds

- (1) The maximum number of designated camp sites in a primitive camping ground must not exceed an average of 2 for each hectare in the camping ground, as specified in the approval to operate the primitive camping ground.
- (2) If an approval to operate a primitive camping ground does not designate camp sites, a council may impose a condition on the approval that the installation of tents, caravans, campervans and annexes is not permitted in specified areas of the primitive camping ground—
 - (a) for the health and safety of occupiers of the camping ground, or
 - (b) to ensure consistency with the principles of ecologically sustainable development, or
 - (c) for another purpose.
- (3) The following are conditions of an approval to operate a primitive camping ground—
 - (a) if at least 1 camp site is designated—camping is not permitted in the camping ground other than on the designated camp site or sites,
 - (b) if no camp sites are designated—the maximum number of caravans, campervans and tents permitted to use the camping ground at the same time must not exceed an average of 2 for each hectare in the camping ground,
 - (c) a caravan, annexe or campervan must not be permitted to be installed within 6m of another caravan, annexe, campervan or tent,
 - (d) a tent must not be permitted to be installed within 6m of a caravan, campervan or an annexe or within 3m of another tent,
 - (e) the camping ground must have a water supply, toilets and refuse disposal facilities as specified in the approval to operate the camping ground,
 - (f) unoccupied caravans, campervans and tents are not permitted to remain in the camping ground for more than 24 hours,
 - (g) the primitive camping ground must have the fire fighting facilities required under the approval.
- (4) The general manager of the council for the area in which a primitive camping ground is located may modify the conditions applying to the approval to operate the primitive camping ground if the general manager is reasonably satisfied that it is necessary to accommodate displaced persons.
- (5) In subsection (3)(b), 2 or more tents occupied by no more than 12 persons camping together must be counted as 1 tent.
- (6) In this section—

average means the average calculated over the total area of the primitive camping ground.

107 Register for primitive camping grounds

- (1) It is a condition of an approval to operate a primitive camping ground that, if a fee is charged for camping, a register must be kept.

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- (2) At least 1 person from each group who uses the primitive camping ground, whether or not the primitive camping ground has designated camp sites, must be registered.
- (3) The register must specify the following—
 - (a) the size of the group accompanying the registered person,
 - (b) the full name and address of the registered person,
 - (c) dates of arrival and departure,
 - (d) the site identification of the site occupied by the registered person,
 - (e) if the person occupies a caravan or campervan—the registration number, if any, of the caravan or campervan.
- (4) The register must be available for inspection by an authorised person, free of charge, during normal working hours.

108 Inspections

In exercising its powers under the Act to enter and inspect a manufactured home estate, caravan park or camping ground, the council must ensure the inspection is carried out, as far as practicable, with—

- (a) the holder of the approval to operate the manufactured home estate, caravan park or camping ground, or
- (b) an agent of the holder of the approval.

109 Savings

An act, matter or thing that, immediately before the repeal of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, had effect under that regulation is taken to have effect under this regulation.

[4] Schedule 1

Insert at the end of the regulation—

Schedule 1 Dictionary

section 4

access road means a road, other than a public road, located in a manufactured home estate, caravan park or camping ground.

annexe means a moveable dwelling that is—

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

approval means an approval by a council under the Act, Chapter 7, Part 1 to—

- (a) operate a manufactured home estate, caravan park or camping ground, or
- (b) install a manufactured home, moveable dwelling or associated structure in a manufactured home estate, caravan park or camping ground.

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

camp site means an area of land in a camping ground that is designated as a camp site in the approval to operate the camping ground and on which the following may be installed—

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- (a) for a primitive camping ground—a caravan, campervan or tent,
- (b) otherwise—a campervan or tent.

campervan means a moveable dwelling, other than a caravan, designed to be capable of being registered as a motor vehicle under the *Road Transport Act 2013*, and includes a camper trailer.

camping ground has the same meaning as in the Standard Instrument.

caravan means a moveable dwelling designed to be capable of being registered as a trailer under the *Road Transport Act 2013*, but does not include a camper trailer.

caravan park has the same meaning as in the Standard Instrument.

community amenity means a space or facility, other than a car parking space, in a manufactured home estate, caravan park or camping ground that is used or intended to be used—

- (a) for the administration or servicing of the manufactured home estate, caravan park or camping ground, or
- (b) for recreational or other communal purposes by occupiers of manufactured homes in a manufactured home estate or moveable dwellings in a caravan park or camping ground.

community building means a building used or intended to be used in connection with a community amenity, including a building used as a manager's or caretaker's office or residence.

Example— A shower, toilet or laundry block.

community map— see section 9.

compliance plate means—

- (a) for a manufactured home, relocatable home or associated structure—see section 88, and
- (b) for a rigid annexe attached to a relocatable home or caravan—see section 104.

dwelling site means an area of land in a manufactured home estate or caravan park designated as a dwelling site in the approval to operate the manufactured home estate or caravan park on which the following may be installed—

- (a) for a manufactured home estate—a manufactured home,
- (b) for a caravan park—a moveable dwelling.

engineer's certificate means a certificate issued by a structural engineer under—

- (a) for a manufactured home, relocatable home or associated structure—section 74, or
- (b) for a rigid annexe attached to a relocatable home or caravan—section 99.

ensuite, for a dwelling site, means a building, part of a building or an associated structure—

- (a) containing a shower, toilet and hand basin, and
- (b) provided for the exclusive use of the occupiers of the dwelling site, and
- (c) located on or adjacent to the dwelling site.

flexible annexe means an annexe consisting entirely of canvas or other flexible material, other than the following parts—

- (a) a rigid support frame,
- (b) a floor, door, window or other securable opening.

flood planning area has the same meaning as in the Flood Risk Management Manual.

Flood Risk Management Manual means the *Flood Risk Management Manual*, ISBN 978-1-923076-17-4, published by the NSW Government in June 2023.

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

holiday or park van means a moveable dwelling, other than a tent—

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- (a) usually located on a short-term dwelling site, and
- (b) used for occasional occupancy for holidays primarily by—
 - (i) the owner of the moveable dwelling, or
 - (ii) a person who hires the van.

install—

- (a) a manufactured home or relocatable home in a manufactured home estate or caravan park means—
 - (i) to connect and attach the major sections of the manufactured home or relocatable home, and associated structures, to footings, and
 - (ii) to connect the manufactured home or relocatable home to gas, electricity, telephone, water, sewerage or drainage services, and
- (b) a caravan or campervan, whether or not in a caravan park or camping ground, includes to connect the caravan or campervan to gas, electricity, telephone, water, sewerage or drainage services.

long-term dwelling site means a dwelling site specified as a long-term dwelling site in an approval to operate a caravan park.

major access road means an access road serving more than 30 dwelling sites in a manufactured home estate or caravan park.

major section means a single portion of a manufactured home or relocatable home that has—

- (a) a total living space of at least 20m³, excluding a living space in an associated structure, and
- (b) the major components of the portion of the manufactured home or relocatable home, including the following—
 - (i) the chassis or frame,
 - (ii) external and internal walls,
 - (iii) the roof and ceilings,
 - (iv) floors, windows and doors,
 - (v) internal plumbing and wiring,
 - (vi) tiling,
 - (vii) kitchen, bathroom and laundry fittings, other than stoves, refrigerators, washing machines or other white goods,
 - (viii) built-in cupboards and cabinets.

minor access road means an access road serving no more than 30 dwelling sites in a manufactured home estate or caravan park.

off-site, in relation to a parking space in a manufactured home estate, caravan park or camping ground, means a parking space that is located in the manufactured home estate, caravan park or camping ground but is not connected to a dwelling site or camp site.

Plumbing Code of Australia means the *Plumbing Code of Australia* published by or on behalf of the Australian Building Codes Board, as in force from time to time.

primitive camping ground has the same meaning as in the Standard Instrument.

relocatable home means a moveable dwelling, other than a tent, caravan, campervan or vehicle capable of being registered under the *Road Transport Act 2013*—

- (a) whether or not a self-contained moveable dwelling, and
- (b) that consists of at least 1 major section, including an associated structure forming part of the dwelling.

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

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road reserve means the part of a manufactured home estate or caravan park, excluding part of a dwelling site, reserved for access roads, footpaths, parking spaces and associated landscaping.

self-contained moveable dwelling means a moveable dwelling that has shower and toilet facilities.

short-term dwelling site means a dwelling site—

- (a) on which a moveable dwelling ordinarily used for holidays may be installed, and
- (b) specified as a short-term dwelling site in the approval for a caravan park.

Standard Instrument means the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

storey, for a manufactured home, relocatable home, associated structure or rigid annexe, means the space located between 1 floor level and the floor level next above or, if there is no floor above, the ceiling or roof.

structural engineer means a professional engineer registered under the *Design and Building Practitioners Act 2020*, who is authorised by the registration to carry out work in structural engineering.

the Act means the *Local Government Act 1993*.