

14 December 2015

Department of Planning and Environment  
Housing Policy  
GPO Box 39  
Sydney NSW 2001  
Attn: Carly Ryan

Dear Madam

**SUBMISSION REGARDING DISCUSSION PAPER FOR IMPROVING THE REGULATION OF MANUFACTURED HOMES, CARAVAN PARKS, MANUFACTURED HOME ESTATES AND CAMPING GROUNDS**

As invited to do so, the Palm Lake Group wish to provide feedback in regards to the discussion paper issued in relation to improving the Regulation for Manufactured Homes, Caravan Parks, Manufactured Home Estates and Camping Grounds.

The Palm Lake Group own and operate several Manufactured Home Estates and Caravan Parks, all long term residents, in various locations across New South Wales. The company also intends to develop many more of this type of development in New South Wales in the future.

Firstly, the Palm Lake Group wish to express that we agree with the majority of suggestions identified in the discussion paper and believe many of the proposed changes to the regulations and approval process will be a vast improvement on the current system. We are interested to see a draft Regulation in order to see further how these proposed ideas may be implemented into the legislation.

We note in the discussion paper that the principal aims of the review include simplifying the approvals process, reduce red tape and respond to the changing nature of these industries. We also note one of the key fundamental issues the review aims to address is the need to provide a greater diversity of housing. These are all points we agree with.

Whilst we agree with the majority of points made in the discussion paper we provide the following comments and queries in order to assist the department for the drafting of the new regulations.

***Definitions of Development types:***

The discussion paper proposes to simplify definitions to include Residential Park and Tourist Park and define Manufactured Homes and Moveable Dwellings only. It is noted in Table 4 of the discussion paper that it is proposed to change the definition of "Manufactured Home" to:

*Means a building used for human habitation (whether or not self-contained) that:*

- a) Comprises 1 or more major sections that are each constructed, and assembled away from the site and transported to the site for installation; and*
- b) Includes any associated structures that form part of the building*

*But does not include a moveable dwelling*

Whilst we understand the reasoning to remove "manufactured home" from the definition of Moveable dwelling, we do not agree with changing the definition of Manufactured Home from how it is currently

defined in the LG Act 1993 by adding the phrase “...that are each constructed and assembled away from the site and transported to the site for installation”.

The reason we strongly oppose to this phrase being added to the definition of Manufactured Home, is that not all Manufactured Homes are assembled away from the site and then transported for installation. On many occasions an exemption has been made to the current clause 135 of the Regulation and Manufactured Homes have been allowed to be assembled and installed on the same site, whilst still being constructed to comply with the requirements to be considered a Manufactured Home and satisfying the current definition of Manufactured Home under the LG Act 1993.

We further note in the discussion paper that it is intended that many of the prescriptive requirements applying to Manufactured Homes and Caravan Parks (future Residential Parks and Tourist Parks) are to be included in a guideline, rather than a development needing to fully comply with such requirements. Existing clause 135 of the LG Regulation is an example where the prescriptive requirements to assemble a relocatable home off site will be incorporated into the guide, further supporting the future likelihood of many manufactured home being constructed and installed on the same site.

We also note that aims of the discussion paper include the desire to respond to the changing nature of the industry. The assembling and installation of manufactured homes on the same site is one of these changing natures in the industry. In today's market and in order to comply with other legislation regarding transport and safety requirements, the cost involved in the transportation component of major sections of a manufactured home have made the transport of a manufactured home from its assembly location of installation location very expensive and only adding to the cost of the final product. In our experience, the need to transport the major sections of a home have added in the vicinity of \$20,000 to the construction cost per dwelling. Hence why in our developments we have sought and gained exemptions to existing clause 135 of the LG Regulation and been allowed to assemble and install homes on the one site.

For these reasons **we propose** that the definition of Manufactured Home, for the future, include the following:

*Means a building used for human habitation (whether or not self-contained) that:*

- a) Comprises 1 or more major sections; and*
- b) Includes any associated structures that form part of the building*

*But does not include a moveable dwelling*

### **Existing Parks**

We agree that existing parks should not be required to comply with additional controls under new legislation, unless proposing expansion to the existing park. Existing parks should no longer be required to obtain “approval to operate”. Annual Council inspections for these parks seems appropriate.

### **Introduction of a Guideline**

We agree with a guideline to replace highly prescriptive standards existing currently. After review of Appendix B we agree that these standards be included as guideline only, allowing the Council assessing an application to apply discretion in what should be complied with and what standards an alternative outcome is appropriate. Every site and nature of a development is different, and like when assessing most other types of proposed land uses, performance based criteria that is less prescriptive is far more outcome driven than the highly prescriptive and detailed criteria with no flexibility. Performance based criteria will better meet the nature of today's developments in this industry.

We note the discussion paper only identifies which existing clauses are to be converted to guidelines. How these guidelines will be written is of high interest to us and we look forward to reviewing the draft guideline when available.

#### **BCA and Manufactured Homes**


We recommend that when the Department consider the option to include Manufactured Homes as Building that would be assessed under the BCA that precaution is taken to ensure the requirements of the BCA will not have a hindrance on the ability to deliver manufactured homes as an affordable building product. It is the responsibility of government legislation to both ensure quality of buildings but also ensure a diversity in housing types and affordability are delivered to the market. If the requirements for the delivery of a certain building type become too onerous this will greatly impede on the affordability and availability of the product.

#### **Role of Residential Parks in seniors housing**

The discussion paper identifies an increasing trend for Residential Parks to be marketed as lifestyle resorts for seniors, our company is one of these developers. It is considered that the issue raised in the discussion paper would be best managed by the Council when assessing a development application. Conditions may be placed on the development that will provide for seniors accommodation (e.g private bus services to local retail and medical services, disable compliant home designs, disabled access to common facilities etc). It should be noted however that the market and clients for seniors housing already drive the provisions of design features that accommodate seniors requirements, despite the regulation remaining silent on the matter. The clients and market largely control design requirements for manufactured homes and residential parks that are specifically marketed at seniors because the client demands these features and therefore it is provided in order to make the development a success.

We would be more than happy to discuss the ideas for the new regulation further with the Department and look forward to reviewing the draft Regulation in the future.

Kind regards



Suzanne Jensen  
Planning