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Ms C Ryan
Team Leader Housing Policy
Development of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Ryan

Improving the regulation of manufactured homes, caravan parks, manufactured home estates and camping grounds

On behalf of the Housing Industry Association (HIA) I would like to provide the following comments to the Department in relation to the Discussion Paper *Improving the regulation of manufactured homes, caravan parks, manufactured home estates and camping grounds*.

The Discussion Paper is an important step in resolving a significant number of 'grey' areas in the current legislative controls for these types of homes. Many in the housing industry involved in manufactured and modular homes, along with those in the competing 'on site' sector of the industry, are keen to see the Government provide greater clarity and certainty about the rules for manufactured homes when used outside manufactured home estates and caravan parks.

As highlighted in the Discussion paper, the primary issue for the housing industry relates to the definition of manufactured homes and the lack of controls and inconsistency of approach towards the land use zoning and their permissibility.

HIA is aware of many examples where this inconsistency of approach has led to inappropriate outcomes whereby homes constructed 'on-site' are required to meet agreed planning and design standards however these standards have not been applied to manufactured homes placed on similar residential blocks for the same purpose. This is clearly not the intention of the legislation and the recommendations set out in the Discussion Paper for manufactured homes outside of parks and estates appear to address this anomaly in a practical and effective manner.

To this end, HIA supports the recommendations to:

- Include manufactured homes within the scope of the definition for a 'building' under the Environmental Planning & Assessment Act (EP&A Act), which in turn will include these types of homes as part of the definition of a 'dwelling'
- Removing the need for dual approvals for manufactured homes under the Local Government Act and the EP&A Act
- Permit manufactured homes to be placed on land where dwellings and residential buildings are permitted under the zoning
- Allow manufactured homes to be approved as complying development where they meet the criteria for dwellings.
- The changes to the definitions for manufactured homes and moveable dwellings

The Paper seeks feedback on how the planning framework can provide opportunities for emerging forms of housing. The response to this lies in the correct use of the planning system to achieve an outcome. The definitions should focus solely on the use of a building rather than the manner in which it is constructed. A building constructed in a zone which permits dwellings in any form, and which is intended to be used as a dwelling, should fall within the definition of a dwelling or residential building. The place of its construction should be irrelevant to the planning outcome.

Manufactured homes can meet the technical requirements of the Building Code of Australia and it is considered appropriate that they be required to do so. The code is performance based and if an element of the construction requires an alternative solution this can be easily accommodated in the approval process.

In relation to the building outcome and the technical nature of construction, the Paper also seeks feedback on the potential for inspections of manufactured homes. Where used as a dwelling not in an estate or a park, the inspection regime needs to be based on the current regime for dwellings. However recognition does need to be given to those elements which are undertaken in the factory such as wet area waterproofing, and framing, which are currently critical stage inspections.

For the steps that can be inspected on site, which are the installation or placement of foundations and the final inspection, these should be required to occur as normal. For the steps which are undertaken off site, it is possible for these to be 'certified' by the relevant engineer or building practitioner, and therefore they could be managed through the requirement for mandatory certification to be given to the certifying authority.

The overarching objective of the Discussion Paper to simplify the approval system is welcomed and achieving this outcome can make a significant difference in the future growth and direction of the manufactured home industry in NSW and ensure there is a level playing field for all dwellings regardless of their method of construction.

Should you wish to discuss any matters raised in this submission, please do not hesitate to contact Michael Buckley on 02 9978 3342 or m.buckley@hia.com.au.

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED

A handwritten signature in dark ink, appearing to read 'David Bare', written in a cursive style.

David Bare
Executive Director