



EMP-PLA-005 | Transportable & Relocated Dwellings

Strategic Context

Strategic Link	Policy Objective
☑ United ☑ Safe & Healthy ☑ Beautiful & Respected ☑ Prosperous & Equitable	This Policy provides a clear and consistent framework to guide Elected Members of the Shire of Halls Creek in the consideration of proposals for transportable and relocated dwellings, ensuring decisions are made in accordance with relevant planning legislation, the Shire's Local Planning Scheme, and the need to maintain appropriate building standards, amenity and community interests.

Introduction

1. Transportable and relocated dwellings are regulated under the Planning and Development Act 2005 (WA), the Planning and Development (Local Planning Schemes) Regulations 2015, the Shire of Halls Creek Local Planning Scheme, and applicable building legislation. These instruments establish the framework for assessing the suitability of dwellings proposed to be transported to, or relocated within, the district.
2. Elected Members, as the decision-making authority of the Shire, are responsible for ensuring that proposals for transportable and relocated dwellings are considered in a consistent and transparent manner that supports appropriate development outcomes while maintaining acceptable building standards, residential amenity and community wellbeing.
3. This Policy provides guidance to assist in the assessment and determination of such proposals within the Shire of Halls Creek.

Purpose

4. The purpose of this Local Planning Policy is to control location, use and development of transportable and relocated second-hand dwellings within the Shire of Halls Creek. This policy is to provide clear standards as to what constitutes an acceptable type of relocated second-hand building to be used as a dwelling or for other habitable purposes. This policy is to ensure compliance with the relevant provisions of Shire's Local Planning Scheme No. 2 and that ensures that the relocation of second-hand dwellings is undertaken to an approved standard that pays regard to local amenity and aesthetics. This policy is to ensure the style, construction and design of relocated dwellings is in keeping with the character of the surrounding dwellings in particular and the locality in general.

Policy Scope

5. This Policy applies within the following zones of the Shire of Halls Creek Local Planning Scheme No.2:
 - a) Residential
 - b) Urban Development
 - c) Rural
 - d) Rural Residential
 - e) Rural Enterprise
 - f) Mixed Use



Policy Statement

6. Development approval is required for all transportable and relocated homes prior to their location on a property. Approval will be issued only where an applicant demonstrated compliance with Part 6 (Development Requirements) of this this Policy.
7. All applications to develop a transported dwelling within the Shire should include the following information:
 - a) Details of where the transported or relocated dwelling is to be removed from.
 - b) Detailed plans of the subject building and a comprehensive site plan indicating the proposed location of the building or identified building envelope, where applicable.
8. For second-hand transportable and relocated dwellings, the following additional requirements may apply to any application:
 - c) Recent photographs of every external elevation of the proposed dwelling. The photographs should clearly indicate its current design and condition.
 - d) Certification from a Structural Engineer stating that the structure is suitable for relocation, appropriate to the conditions of the Shire and structurally sound.
 - e) Detailed specifications on the works to be undertaken to the building render it compliant with the Building Code of Australia.
 - f) Specification on the works to be undertaken on the dwelling, including any modifications and additions to the dwelling and the materials and colours to be used.
 - g) Details of how it is proposed to transport and re-erect the building; and
 - h) A detailed time frame for the relocation of the proposed dwelling and any proposed works
9. As part of the planning approval of a transported dwelling, the Council may impose conditions that require any works considered necessary to improve the appearance of the structure, including the addition of verandas, painting, landscaping, and the cover of stump areas.

Principles Underpinning the Policy

Principle Name	Principle Definition
Housing Supply and Flexibility	Support transportable and relocated dwellings as a practical solution to increase housing availability and meet community and workforce accommodation needs in a remote setting.
Suitability to Local Conditions	Ensure dwellings are designed and installed to withstand Halls Creek's climatic conditions, remote servicing realities, and long-term occupancy requirements.
Residential Amenity and Streetscape	Maintain reasonable levels of privacy, safety, and visual quality for neighbouring properties and the broader streetscape.
Safety and Building Compliance	Require all dwellings to meet relevant building standards, certification requirements, and structural safety obligations.
Infrastructure and Service Capacity	Confirm that sites can be appropriately serviced with water, wastewater, power, access, and emergency services before approval is granted.



Definitions

Term	Meaning
Second Hand Dwelling	Means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a modular home or transportable dwelling.
Transportable Building	Means any structure that is prefabricated at any place other than on the site upon which it is to be erected but does not include a 'Kit Home'.
Relocated Dwelling	Means to a residential dwelling previously established on a site, other than the site for which approval is sought to locate the dwelling.

Policy Details

10. Development Requirements

10.1 The approval of transported or relocated dwellings will only be considered if the following design standards are achieved:

- The dwelling should be of a satisfactory standard and the architectural design and external appearance and is compatible with the building standards, design, and character of existing housing in the immediate locality.
- The exterior cladding and roof materials should be in good condition and for second-hand homes, the proposal includes improvement works to the exterior of the building, including repainting, re-cladding as necessary and architectural detailing, such that the proposed dwelling will be in keeping with the amenity of surrounding area.
- The external finishes, bulk, scale, and design of the house are such that it will not have a detrimental impact upon the amenity of the area or landscape into which it is being relocated.
- Where any material containing asbestos fibres remains in or on the dwelling, including cement asbestos roofing or cladding, roof insulation or for any other purpose, such material should be removed prior to the building being transported within or into the Shire. Certification of asbestos removal to be provided with application. This certificate shall occur at the proponent's expense.
- A transported dwelling will only be approved if certification is received from a Structural Engineer that states the dwelling is structurally sound, is suitable for transport and is appropriate for the conditions of the Shire. This inspection shall occur at the proponent's expense.
- The approval of a transported dwelling will require the lodgement of a cash bond or bank guarantee to the value of \$10,000, prior to the issue of a building permit. This bond will be used to remove the dwelling if the owner and/or builder default on the conditions of this policy, the development approval, or any conditions of the Building Permit. The bond will be held until the satisfactory completion of the Schedule of Works.
- A signed statutory declaration outlining a bonding agreement is to be entered into by the owner/s prior to issue of a building license. The agreement is to outline a staged repayment of the performance bond, as follows:

10.1.1 Stage One (Return of 25% of bond)



- h) Dwelling correctly positioned on site, as per approved site plan (setback correct) in accordance with the Planning Approval.
- i) Dwelling is correctly positioned, and site filled, drained, and graded satisfactorily, such as it is structurally adequate in accordance with the engineer's certification.
- j) Dwelling is up to lock-up stage (all external windows, doors and fittings/fixtures installed/repaired).

10.1.2 Stage Two (Return of second 25% of bond)

- k) All gutters, fascia and downpipe work completed.
- l) All roof end/roofing work is completed (flashings on ridge and gable ends installed).
- m) All external surfaces to be painted to a tradesman like standard in accordance with the Planning & Building Approvals (including wall, doors, window surrounds, sills).

10.1.3 Stage Three (Return of remaining 50% of bond)

- n) Compliance with all conditions of planning approval.
- o) Approved effluent disposal system installed. System has been inspected by Council Health Officer and a permit to use has been issued.
- p) Completion and certification of all electrical work.
- q) Completion and certification of all plumbing work.
- r) All wet area tiling completed in accordance with the Building Code of Australia.
- s) Kitchen fit-out completed (cupboards/benches & stove/hotplate installed).
- t) Building has reached practical completion.

10.2 The agreement is to clearly state that if Stage One or Two completion is not reached within 9 months of the building's placement on site or Stage Three completion not reached within 24 months of issue of a building permit, then the bond monies may be forfeited to the Shire and the building removed from the site unless the applicant can demonstrate key supplies or contractors cannot be sourced in the timeframe.

Accountability

11. Council is responsible for adopting this policy and providing strategic oversight of the regulation and management of transportable and relocated dwellings within the Shire of Halls Creek. The CEO is accountable for ensuring the effective implementation of this policy and that appropriate planning, building, and compliance processes are in place. The CEO may delegate operational responsibilities to relevant officers.

12. Planning officers are responsible for:

- a) Assessing development applications for transportable and relocated dwellings in accordance with this policy and the Shire's Local Planning Scheme
- b) Providing planning advice to applicants
- c) Ensuring public consultation is undertaken where required
- d) Maintaining records of approved dwelling.
- e) Monitoring compliance with planning approval conditions

13. Building officers are responsible for:

- f) Assessing building permit applications



- g) Confirming compliance with the Building Act and National Construction Code
- h) Undertaking inspections where required
- i) Compliance officers are responsible for investigating alleged unauthorised dwellings or breaches of approval conditions and undertaking enforcement action where necessary.

14. Applicants and property owners are responsible for:

- j) Obtaining all required planning and building approvals prior to installation
- k) Ensuring dwellings are installed in accordance with approved plans
- l) Maintaining ongoing compliance with approval conditions and relevant legislation

15. Community members are responsible for raising concerns regarding transportable or relocated dwellings through established Shire reporting channels.

Related Documentation / Legislation

Legislation	Shire of Halls Creek Documentation
a. Planning and Development Act 2005 (WA). b. Planning and Development (Local Planning Schemes) Regulations 2015 (WA) c. Shire of Halls Creek Local Planning Scheme d. Residential Design Codes of Western Australia (R-Codes) e. State Planning Policy Framework f. Building Act 2011 (WA) and Building Regulations 2012 (WA). g. National Construction Code (NCC) h. Public Health Act 2016 (WA). i. Work Health and Safety Act 2020 (WA) j. Environmental Protection Act 1986 (WA)	a. Shire of Halls Creek Local Planning Strategy b. Shire of Halls Creek Strategic Community Plan c. Shire of Halls Creek Corporate Business Plan d. Any adopted Shire of Halls Creek Local Planning Policies e. Shire of Halls Creek Compliance and Ranger Procedures f. Shire of Halls Creek Risk Management Framework

Policy Review

16. This Policy will be reviewed every four (4) years from the date of endorsement, or earlier in the event of legislative change, audit findings or a resolution of Council.

Document Control

Relevant delegations	Nil		
Risk Evaluation	Moderate		
Council adoption	27 March 2025	Resolution	2025/029
Next review due	March 2029		