



Building Amendment Regulations 2020:

Exemption from requirement for building permit for manufactured homes and attachments

This industry bulletin provides information on the Building Amendment Regulations 2020 (Amendment Regulations) which were published in the Government Gazette on 3 March 2020 and have commenced operation.

The Amendment Regulations amend clause 2 of Schedule 4 of the Building Regulations 2012 (Building Regulations) to allow for a 'manufactured home' (i.e. a non-vehicular 'park home') to be moved from one caravan park to another and for the affixing of an 'attachment' to a 'manufactured home' without the need for a building permit. Refer to www.legislation.wa.gov.au for a current version of the Building Regulations incorporating this amendment.

This amendment is complementary to regulation 7 of the Caravan Parks and Camping Grounds Amendment Regulations 2020 (CPCGA Regulations), which were also published in the Government Gazette on 3 March 2020. The Amendment Regulations came into operation at the same time as regulation 7 of the CPCGA Regulations.

In October 2018, the State Administrative Tribunal determined that many purported 'park homes' do not meet the definition of that term. To address this, the Department of Local Government, Sport and Cultural Industries developed a policy solution whereby such structures previously approved would be captured within newly created definitions of a 'manufactured home' and/or an 'attachment' and be taken to have been approved as a 'park home' or 'annexe'.

The CPCGA Regulations will effectively legitimise any

'manufactured home' or 'attachment' that might in the past have been approved by a local government as a 'park home' or 'annexe'. This will allow an owner to move their 'manufactured home' to a different caravan park or to affix an 'attachment' to a 'manufactured home', without triggering the need for a further approval under the Caravan Parks and Camping Grounds Regulations 1997 (CPCG Regulations).

No new applications for approval of a 'manufactured home' or an 'attachment' will be accepted in future. Any new application for approval of a 'park home' or 'annexe' under the CPCG Regulations will instead be required to strictly comply with the definitions of those terms in order to obtain approval.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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