


DO ARUVA UNITS NEED APPROVAL FROM LOCAL COUNCILS?

Do Aruva units need approval? We provide some answers and give you various avenues to explore on the compliance options.

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Do Aruva units need approval from local councils?

We often get enquiries from the farming community asking whether modular accommodation units need approval from their local council.

Our first response is "it depends"....

You should understand that purchasing a modular unit is often quite different to having something built on site.

Why?

A modular unit has been built in a factory and then transported to the site. This basically means that it's mobile. So if you only need it for temporary accommodation for say 6 or 12 months, it can then be moved off the property when it's no longer required.

For example, you might be looking to hire some overseas workers using the PALM scheme and a requirement of this is to provide suitable on-site accommodation for these workers. And this is where modular units are the perfect solution.

This differs from having something built on site where it's built from the ground up as a permanent structure.

So in this article, we'll be talking about modular units and their council requirements rather than structures that you might have built on site, which could be considered as more permanent in some applications.

Essentially, putting a modular unit on your property has a number of advantages over having something built in the traditional way.

Do modular units need council approval?

Coming back to our initial question, our response was – it depends. In fact, it really depends on two main things. One is usage and the other is location.

The usage of the unit is actually a really important consideration when you look at the different levels of development applications.

For example, are you using the unit for worker accommodation?

Or to put the extended family up for a while?

Or for agritourism? Airbnb?

You'll find that different rules apply depending on what you want to use the modular unit for. For example if your property is in a fairly remote area, it's unlikely that there's going to be any suitable accommodation for your workers, so putting in a unit or two is crucial. In this case, council would be expected to approve the units without hesitation.

Geographic location is the other important consideration.

For example, if your property is out in far western NSW it might not appear feasible to get council approval even if you wanted to, because the remoteness of the location makes a modular unit a necessary addition to your property and the functioning of your farm.

Plus, there's the size of your property to consider. For example, if you have a million acres in the middle of nowhere, your council is unlikely to even know whether you've installed a modular unit and it's unlikely that they're going to check.

Know that each local council has their own set of rules and policies and it's up to you to get a bit of an understanding as to what they are.

So, what should you do if you're not sure?



Do a risk analysis.

We see our customers often do a risk analysis before moving ahead. As part of this, they would consider the location of their property and the local government area it falls under.

For example, if they're in a remote location and want the unit or units for worker accommodation, they might not bother to seek approval because it just doesn't make sense.

In this case, our customers have decided that the risk of council discovering that they have a modular accommodation unit or units on their property without approval is very low.

On the other hand, if we have customers who have smaller properties that are not all that remote and are close to say, a major highway, they might consider the risk of the unit being discovered by council much higher. So in this case, they tend to decide that it's definitely worth getting approval before they move ahead.

Our customers also appreciate the fact that our modular units are built to meet **Australian Building Standards** and this means that getting approval can be very simple in most cases.

Find a professional to help you decide what approvals to get.

So once you've done your own risk analysis, it's a good idea to talk to a professional who understands not only the local planning requirements and all the different pathways to get approval, but who's also familiar with the **rules and regulations** around modular units. The builder of the unit can help you with recommendations of who to talk to.

If you've decided that you want to be fully compliant and avoid any issues down the track, just like many of our customers, you should get in touch with a professional who can guide you through the approval process.

But make sure that whoever you work with has an in-depth knowledge of modular units and how they differ from more permanent structures.

Once you've found someone to work with, you could be presented with a variety of different options to get approval for the unit. Sometimes, the easiest and cheapest may be the best but it will depend on your LGA as to whether this is going to work for you.

Having different options means that you can have a choice as to which path you go down.

In the case of worker accommodation or **Agritourism**, the approval could fall under a Federal or State Government ruling and could be fairly easy to obtain. It still needs to be approved by your LGA but this is usually fairly straightforward.

Would there be any consequences to not getting approval?

Once again, this could depend on where your property is located and the usage of the accommodation unit. Plus, it does depend on your local council.

For example, in some instances the council could do a **compliance check** using aerial photography to ensure no illegal land clearing has occurred. If they then spot your accommodation unit, they may simply request a building certificate from you to ensure that the unit meets all the necessary building standards.

As long as this is all in order, you should get retrospective approval for the unit.

But beware of purchasing any type of accommodation unit that doesn't meet **Australian Building Standards** – like insufficient ceiling height – because in this case, you'll likely be required to remove the unit if it can't be altered to comply ... a nasty little exercise that could cost some big bucks.

Whether you get approval or not is up to you.


Getting approvals depends on the situation, so it's up to you to understand the situation and make the best decision depending on the risk analysis that you initially did.

Remember, an accommodation unit is an investment in your farm's future and could make a big difference as to whether you have the staff that you need or risk losing a harvest because you just don't have enough manpower.

Disclaimer: Please note that we are not legal professionals and hence, we are not giving legal advice and you should not solely rely on our advice. All we want to do is give you genuine

advice on what you can do to get the best professional help by providing practical assistance. Ultimately, the decision whether or not to get approval is down to each individual.



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