



6.1.10 RELOCATED BUILDINGS

Purpose

The purpose of this Policy is to identify the acceptable development parameters for relocation and use of relocated buildings in the Shire of Manjimup and to ensure a consistent approach is taken when considering applications for planning approval for relocated buildings.

Objectives

To ensure compliance with the relevant provisions of the Local Planning Scheme No.4 (the Scheme) in a manner that is realistic and ensures that the use of relocated buildings is undertaken to an approved standard that pays regard to local amenity and aesthetics and the style, construction and design of relocated buildings is in keeping with the character of the surrounding dwellings in particular and the locality in general and to ensure all works required meet the Policy objectives are completed in a timely and appropriate manner.

Interpretation

For the purpose of this policy, all terms and references shall have the same meaning as given by the provisions of the Local Planning Scheme No 4 (the Scheme) and associated regulations.

Application of Policy

This Policy applies to all land within the Shire of Manjimup and is to be read in conjunction with the Scheme and any other relevant Local Planning Policy. If a provision of the Policy is inconsistent with the Scheme, the Scheme prevails.

Policy Exclusions

This Policy excludes caravans and park homes, shipping containers and newly constructed transportable dwellings that have not been occupied previously.

Relationship to Residential Design Codes

Where a relocated dwelling is to be located upon a lot subject to the Residential Design Codes of Western Australia (the R-Codes), the Codes will still apply as if the dwelling was a new construction.

Policy Background

Under the relevant building legislation reuse of a building in a new location is considered in the same manner as if the building was newly-constructed. Therefore, the contemporary requirements for matters including electrical wiring and energy efficiency are all required to be retrofitted to the second hand building.

In the case of planning, the main concern of the Scheme is to ensure any development that uses second hand elements does not detract from the amenity of the locality and achieves the aims and objectives of the Scheme.

This Policy has been formulated to allow the local government to ensure relocated

buildings meet a minimum requirement to protect the amenity of the locality.

Policy Measures

This section outlines the detailed requirements to be applied to Applications for Planning Approval affected by this Policy.

Minimum Dwelling Standard

The following minimum relocated dwelling standard applies:

- a) A minimum gross floor area of 50m²;
- b) At least one (1) bedroom separate from the other rooms in the dwelling;
- c) A lounge, meals and kitchen area (may be open plan);
- d) A separate bathroom and laundry; and
- e) Meets the minimum requirements of the BCA.

To be used as a dwelling, the relocated building will be assessed against and must comply with the requirements for Class 1a buildings under the *Building Code of Australia*.

Amenity and Appearance of Relocated Building

When giving consideration to an Application for Planning Approval, the local government shall give consideration:

- a) the relocated building in its new position being rendered visually acceptable by the use of verandahs, screening and / or landscaping; and
- b) the design, scale and bulk of the relocated building being compatible with the type of buildings that exist in the locality in which it is to be located.

The local government will not grant Planning Approval for the relocated building if it is considered to be in conflict with the age and design of buildings in the immediate vicinity of the proposed new location.

The local government will place any conditions on the Planning Approval it deems appropriate to ensure the relocated building meets the objectives of this policy in relation to external appearance. These conditions may include but not necessarily limited to:

- a) External repainting and/or recladding of the relocated building;
- b) The construction and/or replacement of verandahs; and
- c) Modification of roof design if considered necessary to ensure the relocated building is consistent with surrounding buildings.

Landscaping

To ensure the relocated building is established as quickly as possible in its new location, landscaping of the area between the street and building may be required as a condition of Planning Approval.

Landscaping is to be planted within six (6) months of relocation and maintained at all times to the satisfaction of the local government.

Engineering Certification

Certification is required from a practising structural engineer that the design and construction of the building is suitable for relocation and re-use. Assessment is

required prior to determination of the application for Planning Approval.

Certification is not required for transportable buildings.

Energy Efficiency

A relocated building is considered a new building under the *Building Regulations 1989*, or subsequent legislation. Consequently, it is required to meet the current Energy Efficiency requirements for the applicable Climate Zone as outlined in the BCA for the relevant class of building.

Assessment for compliance with the BCA will occur at the Building Permit stage. However, a condition requiring compliance may be included in any Planning Approval.

Asbestos

The local government will not approve the use of a relocated building containing asbestos.

Prior to approving any application, the local government may require chemical testing of material samples from the building where it is believed that these materials may contain asbestos. Should these tests determine a negative result of asbestos, the building will be considered for approval.

Where a building contains asbestos products but is still required to be relocated by an applicant, all materials containing asbestos are to be removed prior to relocation taking place.

Removal of asbestos is to be undertaken in accordance with the *Health (Asbestos) Regulations 1992*, or subsequent legislation.

Plumbing and Electrical Wiring

All plumbing and electrical wiring is to meet the requirements of the BCA and relevant Australian Standards.

Administration

Requirement for Planning Approval Prior to Relocation

All proposals for the relocation and use of relocated buildings require Planning Approval to be granted in accordance with Part 10 of the Scheme.

Planning is required **prior** to relocation of the building onto the proposed site.

The application is to be accompanied by the following information:

- a) a site plan showing the proposed location of the relocated building on the property;
- b) plans and details of the relocated building, such as the original building permit;
- c) photographs of the relocated building showing the external appearance;
- d) details of modifications and other works to be carried out on the relocated building such as removal of asbestos, re-cladding, painting, construction of verandahs, etc., including the estimated timing for these works to occur;
- e) structural engineering certification of the relocated building where required by the local government' and
- f) results of testing for asbestos materials on the relocated building where required

by the local government.

Advertising of Applications

All applications proposing the relocation and use of relocated buildings as per the requirements of the Shire of Manjimup Local Planning Policy – Consultations and Submissions or subsequent Local Planning Policy.

Applications Consistent with Policy

Where an application for Planning Approval is consistent with this Policy and any other requirement of the Scheme or relevant Local Planning Policy, Planning Approval under Part 10 of the Scheme will be granted under delegated authority to the Chief Executive Officer where no objections have been received during advertising.

Where an objection has been lodged, the application is to be determined at an Ordinary Meeting of Council.

Applications Requiring Variation of Policy

Where an Application for Planning Approval requires a variation to a provision of this Policy, the variation is to be considered by the local government in accordance with clause 5.5 of the Scheme.

Delegated authority is not to be exercised for the consideration of variations to the Policy.

Building Permit

Notwithstanding that Planning Approval may be granted by Council, a Building Permit is required to be sought and issued prior to the relocation commencing.

Time Limit of Works

The time for completion of all work is prior to occupation or within twelve (12) months from the date of relocation, whichever comes first.

Should the local government not be satisfied with works undertaken to date at the time of expiry of the time limit, it will consider further action under clause 11.7 of the Scheme.

ADOPTED – 8 December 2016

EFFECTIVE – 21 December 2016

NEXT DUE FOR REVIEW – December 2020

The Administration of this Policy is by the Development and Regulation Directorate.