



6.1.10 RELOCATED BUILDINGS

1. Purpose

1.1. The purpose of this Policy is to;

- i. provide a set of development requirements for applications made under clause 5.12.6;
- ii. identify the acceptable development parameters for relocation and use of relocated buildings in the Shire of Manjimup; and
- iii. ensure a consistent approach is taken when considering applications for planning approval for relocated buildings.

2. Objectives

2.1. 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.

3. Interpretation

3.1. For the purpose of this policy, all terms and references shall have the same meaning as given by the provisions of the Scheme and associated regulations.

4. Application of Policy

4.1. 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 to the extent of the inconsistency.

5. Policy Exclusions

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

6. Relationship to Residential Design Codes

6.1. Where a relocated dwelling is to be located upon a lot subject to State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes) the R-Codes will still apply as if the dwelling was a new construction.

7. Policy Background

7.1. Council appreciates that it may be economical to use second hand relocated and transportable dwellings as housing in lieu of constructing new homes. These may be acceptable within the Shire, providing the development is in keeping with the rest of the dwelling stock of the area into which it is proposed to bring the relocated or transportable dwelling.

7.2. 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.
- 7.3. 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.
- 7.4. 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.

8. Policy Measures

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

The relocated building will require a Building Permit.

9. Amenity and Appearance of Relocated Building

- 9.1. When assessing an Application for Development Approval, the local government shall give consideration to:
- 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.
- 9.2. The local government will not grant Development 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.
- 9.3. The local government will place any conditions on the Development 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.

10. Landscaping

- 10.1. In the Town Centre, Residential, Rural Residential or Industry zone 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 Development Approval.
- 10.2. Landscaping is to be planted within six (6) months of relocation and maintained at all times to the satisfaction of the local government.

11. Engineering Certification

- 11.1. 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 Development Approval.
- 11.2. Certification is not required for transportable buildings.

12. Asbestos

- 12.1. The local government will not approve the use of a relocated building

- containing asbestos.
- 12.2. 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.
- 12.3. 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.
- 12.4. Removal of asbestos is to be undertaken in accordance with the *Health (Asbestos) Regulations 1992*, or subsequent legislation.

Administration

13. Requirement for Development Approval Prior to Relocation

- 13.1. All proposals for the relocation and use of relocated buildings require Development to be granted in accordance with Part 10 of the Scheme.
- 13.2. Unless an application for 'Storage' has been approved by the local government, Development Approval is required prior to relocation of the building onto the proposed site.
- 13.3. 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 including setbacks to all existing development and property boundaries;
 - 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.

14. Advertising of Applications

- 14.1. Unless otherwise proposing variations to the deemed-to-comply provisions of the R-Codes or development standards of the Scheme, no advertising will be required under this Policy for relocated buildings.

15. Applications Consistent with Policy

- 15.1. Where an application for Development Approval is consistent with this Policy and any other requirement of the Scheme or relevant Local Planning Policy, Development Approval under Part 10 of the Scheme will be granted under delegated authority to the Chief Executive Officer.

16. Applications Requiring Variation of Policy

- 16.1. Where an Application for Development 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 following

consultation with neighbouring landowners.

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

17. Building Permit

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

18. Cash Bond

- 18.1. A bond of \$5,000 shall be lodged at the time of Building Permit application to ensure compliance with all conditions repayable when the works.

19. Time Limit of Works

- 19.1. The time for completion of all work is prior to occupation or within twelve (12) months from the date of relocation, whichever comes first.
- 19.2. 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 July 2021

EFFECTIVE – 21 July 2021

NEXT DUE FOR REVIEW – July 2025

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