Policy Title:	**AMENITY AND AESTHETICS CONSIDERATIONS FOR DEVELOPMENT – REMOVAL/RESITING A DWELLING AND CONVERTING A CLASS 10 (SHED) TO A CLASS 1 (DWELLING) (AMENITY AND AESTHETIC IMPACT OF PARTICULAR BUILDING WORK)**
Policy Subject:	Planning
Policy No:	#1916923
Directorate:	Community and Development
Department:	Planning
Section:	Strategic Planning
Responsible Officer:	Executive Manager - Strategic Planning
Authorised by:	Director Community and Development Services
Adopted Date:	11/08/10
Review Date:	11/08/11
Amended Date:	

OBJECTIVE:

The objective of the policy is to ensure that development for the removal/resiting of a dwelling or the conversion of a Class 10 building (shed) to a Class 1 building (dwelling) does not detract for the amenity or aesthetics of the area, in accordance with Council's resolution of 11 August 2010 that under the provisions of Schedule 7, Table 1, Item 17 that such development may:

(i) have an extremely adverse effect on the amenity, or likely amenity of the locality; or
(ii) be in extreme conflict with the character of the locality,

and will enable Council to discharge its jurisdiction as a concurrence agency under the *Sustainable Planning Act 2009* and Regulations for such matters.

Further, the Policy sets out the amount and type of security required (bonding of work) to ensure the renovations are completed within an appropriate time frame, pursuant to Schedule 7, Table 1, Item 25 of the *Sustainable Planning Regulation* 2009 and releasing of the security in accordance with section 93 of the *Building Act 1975*.

POLICY:

Intent

In accordance with Schedule 7, Table 1, Item 17 (Amenity and aesthetic impact of particular building work) of the *Sustainable Planning Regulation* 2009, Council on 11 August 2010 resolved that building works for the removal/resting of a dwelling and conversion of a Class 10 (shed) to a Class 1 building (dwelling), may have an extremely adverse effect on the amenity, or likely amenity of the locality or be in extreme conflict with the character of the locality.

As such, Council will be triggered as a concurrence agency for any such building works applications.

Applicability

This policy is applicable for building works applications for:

- the relocation of any Class 1 (dwelling) or Class 10a building (shed) from one lot to another lot (or part thereof) within the Fraser Coast Regional Council area;
- the relocation of any Class 1 (dwelling) or Class 10a building (shed) from an area outside of the Fraser Coast Regional Council area to within the Fraser Coast Regional Council area; and
- the conversion of a Class 10a building to a Class 1 (dwelling) building within the Fraser Coast Regional Council area,

in accordance with Council's resolution 11 August 2010, pursuant to Schedule 7, Table 1, Item 17 (Amenity and aesthetic impact of particular building work) of the *Sustainable Planning Regulation* 2009.

Additionally, this Policy sets out criteria for Council's determination on the type and amount of security (bonding of works) required in accordance with Schedule 7, Table 1, Item 25 of the *Sustainable Planning Regulation* 2009 and releasing of the security in accordance with section 93 of the *Building Act 1975*.

Required supporting information

The following information is required to be submitted with any application:

- an application fee as per Council's Fees and Charges Schedule on the day of lodgement;
- letter/report outlining the details of the proposal;
- site plan;
- elevation plans (including overall height of the proposal and works intended to be undertaken as part of reconstruction);
- photos of subject site and building to be relocated/converted, including photos of roof and all external walls; and
- estimated value of building construction work for external renovations.

Standard conditions

The following table provides standard conditions to be imposed based upon the condition of the building and the following assessment criteria. Other or modified versions of the following conditions may be included where considered necessary, based upon the circumstances of each application.

Removing/Resiting a dwelling

Assessment Criteria	Standard Condition
1. Does the building have damaged, corroded or rotten material.	1. Replace all damaged, corroded or rotten material.
2. Does the building have flaking paint or require repainting.	2. Remove any flaking paint and repaint exterior.
3. Does the building have a rusted or damaged roof.	3. Repaint the roof and flashing or replace with new material.
4. Do the building stumps exceed 2.0 metres in height and if so, do similar houses in the locality include visual barriers between ground level and the first floor of the dwelling.	4. Construct palings or similar visual barrier around the base of the dwelling.
5. Work is required to be completed in a timely manner to ensure that the building does not detrimentally impact upon the amenity of the area.	5. Complete all external works associated with the relocated dwelling within 9-12 months from the date of the development approval, or as otherwise approved in writing by the Assessment Manager.
6. Works are to be bonded to ensure that conditions of approval are complied with.	6. Pay a bond of $10,000 - $15,000 prior to the relocation of the dwelling. This can be paid by bank cheque or cash and refunded on satisfactory completion of conditions of approval. This includes part refund of the bond (minimum 25%) when each condition is complied with, based upon an estimate of the value of works uncompleted.

Converting a Class 10a building to a Class 1

Assessment Criteria	Standard Condition
1. External cladding of the building must be neat and tidy and consistent with the appearance of a dwelling, where visible from the street or adjoining properties.	1. Replace external cladding with cladding consistent with material/s utilised to clad dwellings within the locality.
2. Does the building have damaged, corroded or rotten material.	2. Replace all damaged, corroded or rotten material.
3. Does the building have flaking paint or require repainting.	3. Remove any flaking paint and repaint exterior.
4. Does the building have a rusted or damaged roof.	4. Repaint the roof and flashing or replace with new material.
5. The building has the appearance of a dwelling when viewed from the street.	5. Construct windows and or a principal entry door to be visible from the street.
6. Works are required to be completed in a timely manner to ensure that the building does not detrimentally impact upon the amenity of the area.	6. Complete all external works within9-12 months from the date of the development approval, or as otherwise approved in writing by the Assessment Manager.
7. Works are to be bonded to ensure that conditions of approval are complied with.	7. Pay a bond of $5,000 prior to the commencement of building works. This can be paid by bank cheque or cash and refunded on satisfactory completion of conditions of approval. This includes part refund of the bond when each condition is complied with, based upon an estimate of the value of works uncompleted.

EFFECTIVE FROM

This policy is effective from 16 AUGUST 2010.

RELATED LEGISLATION:

Sustainable Planning Act 2009, *Sustainable Planning Regulation* 2009, *Building Act 1975 and the Building Regulation 2006*.

Note: A separate policy exists for the assessment of Class 10 buildings and structures where exempt from assessment against Council's Planning Schemes, in accordance with Schedule 4, Table 2, Item 2 of the *Sustainable Planning Regulation* 2009.

HISTORY:

A review of Council's records did not reveal any former Council Policies for amenity and aesthetic considerations for the resiting/removal of dwellings.