

Policy Title:	AMENITY AND AESTHETICS CONSIDERATIONS FOR DEVELOPMENT – REMOVAL/RESITING A DWELLING (AMENITY AND AESTHETIC IMPACT OF PARTICULAR BUILDING WORK) AND ASSOCIATED BUILDING REQUIREMENTS
Policy Subject:	Building
Policy No:	#2886822v4
Directorate:	Development & Community
Department:	Regulatory Services
Section:	Building
Responsible Officer:	Executive Manager – Regulatory Services
Authorised by:	Director Development & Community
Adopted Date:	4 March 2015
Review Date:	4 March 2019
Amended Date:	4 May 2016
Risk Assessment:	Medium

OBJECTIVE:

The objective of the policy is to ensure that development for the resiting of a dwelling from one allotment to another allotment does not detract from the amenity or aesthetics of the area. In accordance with Council's resolution of 1 August 2012 and under the provisions of the *Sustainable Planning Regulation 2009*, Schedule 7, Table 1, Item 17, it is recognised 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.

This 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 1 August 2012 resolved that building works for the resiting of a dwelling from one allotment to another allotment 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.

For such works, the policy also 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* for the above works and releasing of the security in accordance with section 93 of the *Building Act 1975*.

Applicability

This policy is applicable for building works applications for:

- the resiting of any existing Class 1 building (dwelling) within the Fraser Coast Regional Council area. If a dwelling is removed and resited within the same allotment, this policy does not apply.

The policy is not applicable to new buildings, such as a new relocatable home or new manufactured home.

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* for the above works 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 the subject site and building to be resited/converted, including photos of the 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.

Resiting a Class 1 (dwelling)

Assessment Criteria	Standard Condition
1. The building does not have damaged corroded or rotten material.	1. Replace all damaged, corroded or rotten material, to the satisfaction of Council.
2. The building does not have flaking paint or require repainting.	2. Remove any flaking paint and repaint exterior, to the satisfaction of Council.
3. The building does not have a rusted or damaged roof.	3. Repaint the roof and flashing or replace with new material, to the satisfaction of Council.
4. The building stumps do not exceed 2.0 metres in height. Where building stumps exceed 2.0m in height and similar houses in the locality include visual barriers between ground level and the first floor of the dwelling, the dwelling has palings or a similar visual barrier around the base of the dwelling.	4. Construct palings or similar visual barrier around the base of the dwelling.
5. Work is 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 resited 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 bonded to ensure that conditions of approval are complied with.	6. Pay a bond of no more than the value of the building work to achieve satisfactory compliance with conditions 1-5 above prior to the resiting of the dwelling. This can be paid by bank cheque, unconditional bank guarantee, or cash, and refunded on satisfactory completion of the 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.

EFFECTIVE FROM

This amended policy is effective from 4 May 2016.

DEFINITION:

Resiting - means rebuilding an existing dwelling on a new site after removing it from another site. It does not include dwellings that have been rebuilt on the same site/allotment that it was removed from.

RELATED LEGISLATION:

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