



## **TPS POLICY No. 7: RELOCATED SECOND HAND BUILDINGS**

### **PRELIMINARY**

#### **AUTHORITY TO PREPARE AND ADOPT A PLANNING POLICY**

The Shire of Beverley, as enabled under Clause 7.6 of its Town Planning Scheme No.2, hereby makes this Town Planning Scheme Policy regarding relocated second-hand buildings throughout the Shire of Beverley. This policy will be incorporated into future schemes when Town Planning Scheme No.2, or greater, is revoked.

This policy supersedes Town Planning Policy No. 10 – Relocated Second-Hand Buildings, which is hereby revoked.

#### **RELATIONSHIP OF A TOWN PLANNING SCHEME POLICY TO THE SCHEME**

Any Town Planning Scheme Policy prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A Town Planning Scheme Policy is not part of the Scheme and shall not bind Council. In respect to an application for Planning Consent, Council shall take into account the provisions of the Policy and the objectives that the Policy is designed to achieve.

#### **APPLICATION OF THE POLICY**

This policy applies to all proposals for the relocation of second-hand buildings (including dwellings) on land situated within the Shire of Beverley, with the exception of the area of land within the Beverley Townsite north of Vincent Street, west of Hunt Road and south of John Street, where relocated buildings/dwellings are not permitted by Clause 4.13.4(c) of Council's Town Planning Scheme No.2.

This policy does not apply to new pre-fabricated buildings or other new transportable buildings that have not been previously installed in any other location.

#### **OBJECTIVES OF THE POLICY**

The primary objectives of this policy are to:

1. Ensure compliance with the relevant provisions of Council's Town Planning Scheme (particularly Clause 4.13.4 relating to approval of second-hand buildings) in a manner which is realistic and which ensures that the relocation of second-hand buildings is undertaken to an approved standard which pays regard to local amenity and aesthetics;
2. Provide clear standards as to what constitutes an acceptable type of relocated second-hand building to be used for habitable purposes; and
3. Ensure the style, construction and design of relocated buildings is in keeping with the character of the surrounding buildings in particular and the locality in general.



## **REQUIREMENT FOR PLANNING CONSENT**

### **DETERMINATION**

Applications for the relocation of second-hand buildings on property within the Shire of Beverley requires Council Planning Approval prior to a Building Permit being issued and relocation taking place. All applications for the relocation of second-hand buildings will be assessed against this policy prior to a decision being made under the provisions of the Scheme.

In determining the application, Council may:

- Approve the application;
- Approve the application with conditions; or
- Refuse the application.

Planning consent is valid for a period of two (2) years from the date of consent, during which time a Building Permit must be issued or the consent is extinguished.

### **INFORMATION TO BE SUPPLIED WITH APPLICATION**

All applications for planning consent to relocate a second-hand building must be accompanied by the following prior to consideration by Council:

- Signed and completed Application for Planning Consent Form;
- Signed and completed Application for Inspection and report Form;
- Photographs clearly showing the four elevations of the building;
- Site plan showing the proposed location of the building and distances from property boundaries, other buildings and any natural features on the property; and
- Floor plans, elevations, cross sections, and specifications.

### **NEED FOR A BUILDING PERMIT**

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

### **ADVERTISING**

Council may require any application for relocated second-hand building to be advertised in accordance with Clause 6.2 of its Town Planning Scheme No.2 if deemed necessary.



## **BUILDING INSPECTION**

Council's Building Surveyor will be required to inspect the building prior to its relocation in order to ascertain its suitability for relocation. The inspection will be reported on by completion of the Relocated Second-Hand Building Inspection Report by the Building Surveyor.

No Planning Approval shall be granted prior to the lodgement by the Building Surveyor and assessment by the Shire Planner, of the Relocated Second-Hand Building Inspection Report.

## **GENERAL PROVISION**

### **MINIMUM DWELLING STANDARD**

If the relocated second-hand building is to be used for habitation, the following minimum dwelling standard is required to be provided:

- At least one (1) bedroom separated from the other rooms in the dwelling;
- A lounge, meals and kitchen area;
- A separate bathroom; and
- A separate laundry.

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

### **ASBESTOS**

Second-hand dwellings must have all asbestos materials removed prior to relocation taking place. Council will require documentation proving cement sheeting is asbestos free where the age of the building dictates asbestos may have been utilised in construction.

### **AMENITY**

When giving consideration to an application for planning consent, Council shall give consideration to:

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

Council will not grant planning consent for relocating any building if it is considered by Council to be in conflict with the age and design of buildings in the immediate vicinity of the proposed new location.

### **EARTHQUAKES**

The Shire area is within the Zone 2 Seismic Area. Consequently, all relocated structures must meet the appropriate standard of construction required by the Building Code of Australia.



## **WORKS TO BE CARRIED OUT**

Council will place any conditions on its planning consent it deems appropriate to ensure the relocated second-hand dwelling meets the objectives of this policy and preserves the amenity of the locality. These conditions may include:

- The exterior of the building being painted in a manner that is consistent with the colours and styles of the surrounding buildings;
- The construction of verandahs and / or alterations to the roof pitch and / or materials to ensure the relocated building is consistent with the design of surrounding buildings;
- The planting and ongoing maintenance of suitable landscaping to ensure the relocated building looks established on the new location;
- The connection of reticulated water and an appropriate effluent disposal system; and
- All plumbing and electrical wiring to meet the current BCA requirements and Australian Standards.

## **BOND**

### **PAYMENT**

As a condition of planning consent for a relocated second-hand building, a \$5,000 bond is to be lodged with the Shire, as provided for in Clause 4.13.4(b) of Council's Town Planning Scheme No.2. Bank or other guarantees are not acceptable. This money will be refunded where the following requirements have been satisfied:

- The relocated second-hand building is transported to the site and stumped, joined, all walls external and internal made good, all doors and windows in working order and all external surfaces repainted to the satisfaction of Council's Building Surveyor, and the building complies with the relevant provisions of the Building Codes of Australia;
- All drains and plumbing are completed and the site cleared of debris including any broken wall cladding; and
- Any other conditions on the planning consent having been addressed.

### **RETURN OF BOND**

The time for completion of all work is twelve (12) months from the relocation of the building. However, the external paintwork or appearance of the building in addition to the necessary works required to make the building habitable are to be completed to the satisfaction of the Shire Planner and Building Surveyor prior to occupation of the building, if this occurs within (12) months of relocation.

### **FORFEITURE OF BOND**

Failure of comply with all conditions placed by Council on the planning consent will result in forfeiture of the bond and removal of the building unless otherwise determined by Council.



## **BOND AGREEMENT**

By payment of the bond to council, the applicant has confirmed that they agree to the conditions of return of the bond and accept Council's reservation to withhold return payment of the bond until it is satisfied that all conditions of planning consent have been met fully.

## **APPLICATION AND INSPECTION FEES**

The following fees are payable at the time of application:

- Planning Application Fees – in accordance with current Planning and Development Regulations as adopted by Council.
- Should the development have commenced prior to the granting of Planning Approval, including the relocation of the building into the Shire and/or onto the site, the Planning Fee penalty prescribed in the current Planning and Development Regulations, shall apply.
- Building Inspection Fee (prior to relocation)
  - 1) The applicant is to pay all reasonable costs, including travel and the time incurred by the Building Surveyor, for the production of the Relocated Second-Hand Building Inspection Report.
  - 2) The Building Inspection Fee is to be paid prior to the lodgement of the Relocated Second-Hand Building Inspection Report by the Building Surveyor.
  - 3) If requested the applicant may be provided with a non-binding estimation of the Building Inspection Fee.
- Building Permit Fee in accordance with current Building fees and charges, including BCITF Levy (if payable).



APPLICATION FOR INSPECTION AND REPORT

To: Building Surveyor  
Shire of Beverley  
PO Box 20  
BEVERLEY WA 6304

Applicant's Full Name:

Address:

Tel (Work):

Tel (Home):

Date:

Dear Sir

Please arrange an inspection and report on the feasibility of transporting the subject building from and to the locations hereunder. I enclose the prescribed fee as per scale below, 2 photographs of the building, a sketch plan of the rooms and sizes and a scale plan showing its proposed location are submitted overleaf.

Scale of fees for inspection of second-hand dwellings/buildings:

1. \$70 for inspection within the Shire;
2. \$150 plus travelling costs at Award rates for inspections outside the Shire area.

Note: The above fees which are applicable at the 30 June 1999 are subject to annual review based on the CPI and or the Provisions of the Building Regulations 1989. In addition to the above fees a refundable bond of \$5000.00 has to be lodged with the local authority in conformity with Town Planning Policy No 9 prior to the issue of any Building Permit by the Shire.

PRESENT LOCATION OF BUILDING

Availability of key:

Lot: House No.:

Street Name:

Suburb:

Postcode:

Owner's Name:

Tel No.:

Owner's Address

Builder / Transporter's Name



**PROPOSED LOCATION OF BUILDING**

Lot: \_\_\_\_\_ House No.: \_\_\_\_\_

Street Name: \_\_\_\_\_

Zoning: Rural / Special Rural / Residential

Area of Lot: \_\_\_\_\_

**DOCUMENTATION REQUIRED WITH THIS APPLICATION**

1. Two recent photographs of the building.
2. A sketch plan of the building indicating room sizes and proposed joint locations.
3. A site plan of the proposed location showing the shape of the lot, street frontage, north point and position of the proposed building in relation to the boundaries of the lot, other buildings on the site and the building envelope on special rural sites.

New building to be used as: \_\_\_\_\_ after re-establishment.

Signature of Applicant: \_\_\_\_\_

**FOR OFFICE USE ONLY - INSPECTION REPORT**

Date \_\_\_\_\_

Estimated Age (years) \_\_\_\_\_

**Cladding – Walls**

Type \_\_\_\_\_

Condition \_\_\_\_\_

Rectification required \_\_\_\_\_

**Roof**

Type \_\_\_\_\_

Condition \_\_\_\_\_

Rectification required \_\_\_\_\_

**Structure – Sub Floor**

Type \_\_\_\_\_

Condition \_\_\_\_\_

Rectification required \_\_\_\_\_

**Walls**

Type \_\_\_\_\_

Condition \_\_\_\_\_

Rectification required \_\_\_\_\_

