

#### 1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 1.5 – Second Hand and Repurposed Buildings.

#### 2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

#### 3.0 OBJECTIVES

- 3.1 To ensure that any development proposing to use a second hand building or repurposed building or second hand cladding material meets acceptable aesthetic and amenity requirements in the locality for which it is proposed.
- 3.2 To ensure that any second hand building or repurposed building or second hand cladding does not detract from an existing (or reasonably desired) streetscape.
- 3.3 To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.
- 3.4 To address the issue of exposure risks from asbestos cement cladding.

#### 4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to all applications for second hand buildings and repurposed buildings (more commonly referred to as 'transportables' or 'relocatables' or 'dongas') or applications proposing to use second hand materials.

#### 5.0 APPLICATION REQUIREMENTS

- 5.1 The use of second hand cladding materials and second hand and repurposed buildings can result in unacceptable development by reason of poor aesthetic result and by adversely affecting the amenity of an area. The Local Government requires that an applicant demonstrate that the proposed use of a second hand or repurposed building and/or the use of second hand cladding material will not result in any adverse effect on the amenity or the aesthetics of the area within which it is proposed.
- 5.2 Applications shall include the following information:
  - 5.2.a Completed *Form of Application for Planning Approval* signed by the owner(s) of the property upon which the building will be located.
  - 5.2.b Plans that have been drawn to scale and include at a minimum:
    - photographs of each elevation of the building that clearly illustrate the in-situ condition and appearance of the entire building;
    - site plan.
    - floor plan and elevations for the building, these plans need to demonstrate any proposed works/upgrades that are required to be undertaken to the building (i.e. new cladding, extension works, additional verandahs etc.) to

ensure the building's presentation is of an acceptable standard to that of the locality.

- a clear timeframe for the completion of the above works, with such timeframe to be as short as practicable and a maximum of 12 months.
- any other additional information required to demonstrate that the development will be aesthetically acceptable and comply with the objectives of this policy and the relevant building and health standards as required.
- (if deemed required by the Local Government) a detailed report on the structural integrity of the relocated building prepared by a qualified building surveyor or a certified structural engineer.

5.2.c Planning Application fee based on the cost of the building plus any transportation, installation and upgrade costs. This is calculated as per Item 1 of the Shire's current Planning Services Fees.

## 6.0 POLICY STATEMENT

6.1 Buildings (and materials) that are second hand or repurposed are, in some instances, of poor condition and as such the Local Government may impose conditions to ensure the building presentation is of an acceptable standard to enhance the streetscape appearance. Such conditions may include (but are not limited to) the following:

6.1.a Need for additional setbacks over and above the prescribed minimum and the need for screening/landscaping.

6.1.b A bond and agreement to ensure the external appearance of the development has been completed to the approval of the Local Government.

6.1.c The space between the ground level and the floor level being suitably enclosed.

6.1.d The roof and/or walls being re-clad in materials and colours, and/or re-painted in colours, that are consistent or complementary in colour with the surrounding natural landscape features or desired streetscape.

6.1.e The required works are to be completed within a specified time frame to ensure the building presentation is of an acceptable standard.

6.2 Unless specific approval is given, all external asbestos cement cladding must be removed and replaced with new material prior to the relocation of a transported building to its new site.

6.3 Prior to the issue of any building permit for a second hand or repurposed building the Local Government shall require the lodging of:

6.3.a a bond, of at least 5% of the estimated value of an equivalent new building, to a maximum of \$5,000 and minimum of \$1,000.

6.3.b agreement, signed by the applicant(s) that the bond will be forfeited to the Local Government if the approved works are not carried out within the approved timeframe indicated.

6.3.c bond moneys will only be refunded (if not forfeited) after works required to prevent forfeiture have been carried out to the satisfaction of the Local Government.

## 7.0 CONSULTATION

Applications for Second Hand Dwellings and Repurposed Dwellings are required by the Local Planning Scheme to be advertised within the 'Residential', 'Rural Townsite', 'Urban Development', 'Rural Residential' and 'Rural Smallholdings' zones. In the event that at the conclusion of the advertising period no written, author-identified objections have been received then the application may be determined by Shire staff under delegated authority (However, should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination). In the event that a written, author-identified objection is received then the application and the received submission(s) will be placed before a meeting of Council for consideration.

Should applications for Second Hand Dwellings and Repurposed Dwellings within the 'Rural' zone be considered to meet the requirements of this Policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the Policy or in the opinion of Shire staff require further consideration, the matter may be advertised in accordance with the Local Planning Scheme before being placed before a meeting of Council for determination.

#### 8.0 DEFINITION

For the purposes of this policy Second Hand Dwelling and Repurposed Dwelling shall be as defined by the Shire of Chapman Valley Local Planning Scheme.

Responsible Business Unit	Planning
LPP Category	1 – Residential
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
Reference Number (Internal purposes)	SoCVLPP1.5