

# Removal or Relocation of Buildings Policy

<b>Effective Date</b>	<i>Ordinary Meeting of Council - 4 April 2012; 18 November 2015</i>
<b>Policy Type</b>	<i>Council Policy</i>
<b>Policy Owner</b>	<i>CEO - Infrastructure Services</i>
<b>Link to Corporate Plan</b>	<i>SA 3: Planning and Liveability</i>
<b>Review Date</b>	<i>November 2020</i>
<b>Related Legislation</b>	Sustainable Planning Regulation 2009 Schedule 7 section 25 Building Act 1975 Building Regulation 2006 Plumbing and Drainage Act 2002 Building Code of Australia Applicable Codes in the Queensland Development Code as amended from time to time Work Health and Safety Regulation 2011
<b>Related Documents</b>	<i>Nil</i>

<b>Policy Version</b>	<b>Approval Date</b>	<b>Adopted/Approved</b>
		Council/Organisational Policy

*This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.***

## POLICY OBJECTIVES/PURPOSE:

The purpose of this policy is to provide standards for the removal and relocation of existing buildings and structures, complementing controls provided through building legislation and planning scheme requirements. This policy is to facilitate the approval and security bond processes of Local Government.

## ORGANISATIONAL SCOPE:

This policy applies in whole or in part to –

1. Buildings and structures when relocated within or into the Western Downs Regional Council (Council) area
2. Buildings and other structures repositioned on a site. For example, if an existing building needs to be relocated to comply with boundary setback requirements when a reconfiguration of a lot is undertaken.

This policy is to be read in conjunction with the Standard Work Practice Removal or Relocation of Buildings Procedure document.

## POLICY:

### 1. RELOCATING A DWELLING INTO THE REGION

**The rebuilding of a building or other structure removed from another site.**

#### 1.1 Jurisdiction

Council as the concurrence agency must be advised in writing of an intention to relocate a building within or into the Council area (*Sustainable Planning Regulation 2009* Schedule 7 Table 1 item 25 (b)).

#### 1.2 Desired outcomes

##### 1.2.1 Amenity and aesthetic determination

A report is required from a Registered Professional Engineer of Queensland, a licensed Building Certifier/Surveyor or a Queensland Building and Construction Commission (QBCC) licensee licensed to inspect buildings in their constructed form. The report is to outline the structural adequacy of the building and any upgrades required to make it suitable for reoccupation.

Council will determine the suitability of the building in the proposed location.

If the appearance of the building is to be upgraded and sufficient evidence in the form of architectural drawings is provided, Council may consider the proposed outcome for impact on the amenity of the area.

##### 1.2.2 Asbestos containing materials (ACM)

An additional report is to be obtained from a licensed asbestos assessor (licence issued by Workplace Health and Safety Queensland) to identify whether there are any ACM in the building.

The Assessment Manager (Building Certifier) for the building application must not issue a building development approval to relocate the building unless there is evidence that any requirements identified by the licensed asbestos assessor have been met.

##### 1.2.3 Security for the performance of building work

- a) If approval is granted a list of conditions and bond determination will be set based on the amount of work required to satisfactorily complete the development.
- b) The conditions will include a requirement that if (ACM) is present in the building it will have to be removed by a licensed removalist before transporting the building, or an exemption to allow the building to be removed with the asbestos still in situ will have to be obtained from Workplace Health and Safety Queensland.

##### 1.2.4 Release of security for rebuilding

- a) Staged release of security for rebuilding works may be approved by Council's Building Certifier upon satisfactory completion of pre-determined conditions.
- b) A fee may be applicable if a separate inspection is required to determine if the work has been satisfactorily carried out or completed to allow refund of bond monies.

### 1.2.5 Use of security bond to complete work

If works are not completed within the relevant period or time period required through a condition, Council may use the security bond to:-

- 1) complete the works to the required standard; or
- 2) remove the building or structure from the site.

## **1.3 BUILDING WORK**

### **1.3.1 Jurisdiction**

Rebuilding of dwellings relocated into the region or within the region is defined as *building work* under the *Building Act 1975* and therefore requires a Development Approval (building).

### **1.3.2 Desired outcomes**

Building work is to:-

- a) meet all required standards under the *Building Act 1975*, *Building Regulation 2006* and *Building Code of Australia* for the rebuilding of a building or structure; and
- b) does not result in any costs to the Council in ensuring works are completed to the appropriate standard;
- c) ensure any ACM that is to be removed from the building or structure is to be undertaken prior to transportation within or into the local government area; and
- d) ensure any ACM that is broken or cracked during transportation, construction or renovation will be removed prior to the bond being released.

### **RELATED LEGISLATION:**

Sustainable Planning Regulation 2009 Schedule 7 section 25  
Building Act 1975  
Building Regulation 2006  
Plumbing and Drainage Act 2002  
Building Code of Australia  
Applicable Codes in the Queensland Development Code as amended from time to time  
Work Health and Safety Regulation 2011

### **RELATED DOCUMENTS (LOCAL LAWS, POLICIES, DELEGATIONS ETC):**

Any required planning or other approvals from Council or other authorities must be obtained before removal or repositioning of any building.

### **REVIEW TRIGGER:**

This policy shall be reviewed at the following stages

- Periodic review of five (5) years
- Change in legislation; corporate plan, planning scheme etc affecting this policy
- Change in community priorities or circumstances relating to this policy