

**SHIRE OF DALWALLINU
LOCAL PLANNING SCHEME No. 2**

The Shire of Dalwallinu under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 2, more particularly Clause 2.2, hereby adopts the following Policy.

**LOCAL PLANNING SCHEME No.2 POLICY No. 5
MOVEABLE BUILDINGS**

DATE ADVERTISED: 29 April 2014

DATE FINALLY ADOPTED: 03 June 2014

1. DISCUSSION

The Council is experiencing an increase in the demand for more affordable housing types within the Shire. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures. The Council is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to the standard of existing housing stock, and the expectations of residents or owners already established in the area. The Council considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

2. DEFINITIONS

A PERMANENT building is generally not designed to be moved and includes the following:

- a) **'Site Built'** structures are built on location as new permanent structures. They are of traditional appearance with pitched rooves and typical house layout, designed to accommodate families.
- b) **'Relocated'** dwellings are structures that have previously been constructed on a site elsewhere. The structures that are relocated are not necessarily designed to be relocated.

A MOVEABLE building is generally any structure capable of being transported from one location to another. There are three basic types as follows:

- a) **'Transportable'** structures are those designed and constructed at a location other than where they are intended to be established. For example, dwellings prefabricated in Perth, transported in sections to their building site, and assembled on location.
- b) **'Donga Type'** structures are those usually designed to provide for workforce accommodation in small individual units. The structures are generally those (such as ATCO, Western Portables or Durabuilt units) with skid mountings, metal sandwich panel and flat roof design. These portable modular structures are also used for other purposes.

- c) **'Containers'**. These structures, although considered 'buildings' by definition under the Building Code of Australia, are solely constructed to transport other goods. They are not in themselves designed, nor suitable, for storage of goods in an urban environment. A container includes 'seainers' and other large vessels designed to carry, and be carried on specially designed vehicles or transporters.

3. BACKGROUND

Due to the historic uncertainty in the permanence of mining activities, and the mobility of mining operations, the establishment of permanent workforce accommodation in the region may not always be desirable or viable.

The use and reuse of moveable buildings is common. The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality. Many other Councils are not permitting buildings within their districts, which contain asbestos. Without the appropriate controls, Dalwallinu could become a 'dumping ground' for such structures.

To ensure that the Council has the opportunity to consider such proposals, all applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence.

The Council has delegated authority to its Community Services Manager to determine Applications for Planning Consent for all applications for **transportable** and **relocated** dwellings in zone of the Scheme where dwellings are permitted.

4. POLICY

2.1 Council Policy on Moveable Buildings

- a) All applicants for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence. Generally, the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however, the Council will consider each application on its merits.
- b) The Council shall not permit the establishment, occupation or erection of **donga type** structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a campsite for accommodating a workforce. In these circumstances it may be argued that the development is not a permanent improvement, and may justify the use of such structures. In this case, the Council must be satisfied that the development will not detract from the amenity of the surrounding area.
- c) The Council will only permit **donga type** structures for uses *other than* residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.
- d) The Council will only permit **site built** and **relocated** structures where it is satisfied that the standard and quality of building can satisfactorily be integrated into a residential area, and that the buildings do not contain unacceptable materials.

- e) The Council will not permit the storing or use of a **container**, as defined above, within a townsite area, other than in the areas zoned 'industrial'. The Council considers the appearance scale, and materials of these structures to be inappropriate for use in an urban environment, and are therefore in conflict with the objectives of the Scheme.
- f) The Council may give special consideration for the use of **containers** outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no visible alternative to the use of these structures, and that the location of the **containers** will not detract from the amenity of the locality.

2.2 Measures to ensure Compliance with Planning Consent

When an application for Planning Consent for a Moveable Building is considered by the Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- a) lodge a bond or bank guarantee with the Council. The bond or bank guarantee will provide the surety for the completion of the **moveable building** to a standard acceptable to the Council;
- b) specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Council;
- c) obtain a special building licence of a specified duration.

5. OBJECTIVES TO POLICY

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that the **moveable buildings**, established within the Shire, do not use materials considered by the Council to be unacceptable (e.g. asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other business or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other use structures that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of **containers** within the non-industrial areas of the townsite.