

11.2. CAPITAL WORKS

11.3. COMMUNITY AND CLIENT SERVICES

11.4. DEVELOPMENT SERVICES

11.4.1. AMENITY AND AESTHETICS - RE-SITING CLASS 1A BUILDINGS

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File Reference	Amenity and Aesthetics - Re-siting Class 1A Buildings
Attachments	Nil

Purpose

To adopt a revised Amenity and Aesthetics Resolution given effect under section 32 of the *Building Act 1975* for the re-siting of certain Class 1A buildings which may have amenity impacts in certain localities.

Related Parties

N/A

Corporate Plan Linkage

Financial Strength

Ethical Decision-Making and Good Governance - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

Live and Visit

Enhance Liveability - We have a range of housing and social infrastructure options that supports a great quality of life and wellbeing in our community.

Operational Excellence

Process and Systems - We develop and continually improve and innovate to create efficient processes that deliver value for our community. Council will endeavour to make service levels more transparent and harness opportunities for existing and emerging technologies to aid this delivery.

Background/Discussion

At the 11 May 2011 Ordinary Meeting, Council adopted an Amenity and Aesthetics Resolution to regulate the re-siting of certain Class 1A buildings which may have amenity impacts in certain localities. The Amenity and Aesthetics Resolution provides Council's building certifier with the ability to ensure that a dwelling being moved to a property within the Mackay region is consistent with the amenity of the surrounding area.

Given the amount of time that has passed since the current Resolution was made, Council Officers are recommending that Council adopt a revised Amenity and Aesthetics Resolution.

The revised Resolution largely takes the same form as the existing Resolution, however it has been updated to clarify which localities are covered by the Resolution, being the following zones within the Mackay Region Planning Scheme 2017 Version 4.0 (as amended):

- Emerging Community Zone

- High Density Residential Zone
- Low Density Residential Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Rural Residential Zone
- Township Zone.

The revised Resolution removes the requirement for the assessment of such applications within the Rural Zone as the risk to amenity is greatly reduced in these areas. The revised Resolution has also been expanded to clarify that it applies to a new building (including a manufactured home) not previously established on another lot either outside or within the Mackay Regional Council Local Government Area.

Following the making of the resolution, further information will be developed to support its implementation and provide guidance to applicants.

Consultation and Communication

Upon adoption, the Mackay building industry will be advised of the new resolution. Council's website will be updated with a new form and supplementary information currently not available.

Resource Implications

Nil

Risk Management Implications

The recommendation will resolve any concerns around the validity of the existing Council resolution given how long it has been in place.

Conclusion

The adoption of the Amenity and Aesthetics Resolution will clarify that an application is required for the re-siting of certain Class 1A buildings which may have amenity impacts. As part of this, officers will also ensure that Council's website and associated form are readily available for the building industry.

Officer's Recommendation

THAT Council:

- 1. Rescinds the Amenity and Aesthetics Inspections resolution made at the 11 May 2011 Ordinary Meeting; and**
- 2. Requires a referral agency response under Tables 1 and 3, Division 2, Part 3, Schedule 9 of the *Planning Regulation 2017* for the re-siting of Class 1A buildings in a locality outlined in 3. below, to assess whether the proposed building work:**
 - (a) will have an extremely adverse effect on the amenity, or likely amenity, of the locality; or**
 - (b) will be in extreme conflict with the character of the locality, and**
- 3. The localities applicable are defined as the following zones contained within the Mackay Region Planning Scheme 2017 Version 4.0 (as amended):**
 - **Emerging Community Zone**
 - **High Density Residential Zone**
 - **Low Density Residential Zone**

- **Medium Density Residential Zone**
 - **Mixed Use Zone**
 - **Rural Residential Zone**
 - **Township Zone, and**
4. **This is applicable to Class 1A buildings that are:**
- (a) **an existing building; or**
 - (b) **a new building (including a manufactured home) not previously established on another lot either outside or within the Mackay Regional Council Local Government Area.**