

PRACTICE NOTE 7/2015



INTERPRETATION OF THE 'RELOCATED BUILDING' RULE IN THE DISTRICT PLAN

THE QLDC DISTRICT PLAN

Relocated Buildings Rule 19.2.1.2 from the Temporary Activities chapter of the District Plan, states:

i Discretionary Activities

*As well as being subject to the Site and Zone Standards relating to buildings, any **relocated building** is a **Discretionary Activity** with the exercise of the Council's discretion being limited to the external appearance of the building in all zones.*

(Exception: This rule does not apply to accessory buildings under 30m² in gross floor area, except where located in the front yard of a site in any Residential Zone.)

The QLDC District Plan does not specifically define 'relocated' but defines 'relocation' as follows:

RELOCATION

In relation to a building, means the removal and resiting of any building from any site to another site.

Council's interpretation is that Rule 19.2.1.2 is applied to existing buildings that have been previously permanently established on a site, that are then relocated to a different site.

Council's interpretation is that the rule does not apply to new-build residential units that are purpose built for relocation, and then transported (in part or whole) and established upon a site. Examples include:

- A new residential unit built in a factory and transported to a vacant site (in sections or as a whole).
- A new residential unit built as part of a charity fundraising event or as part of an educational / training course that is then relocated onto a vacant site.

Consistent with the definition of the term 'relocation' above, the Council's interpretation of Rule 19.2.1.2 is that relocating a residential building within its own site does not trigger Rule 19.2.1.2. For example an existing house moved within its own site to make room for a second residential unit.

The relevant Site and Zone standards continue to apply to the relocated buildings.

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