

TABLING NOTE FOR SUBORDINATE LEGISLATION

SUBORDINATE LEGISLATION NO. 30 OF 2016

BUILDING AMENDMENT REGULATIONS 2016

ORIGINAL PAPER

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Purpose / Background

These regulations amend the *Building Regulations* to include land in Zone WM (Water Management) in the definition of 'approved rural land' in regulation 36A of the *Building Regulations*. The amendment will have the effect of exempting certain houses relocated to land in Zone WM from the requirement to be fully upgraded to current building standards.

Any building removed and transported from another site (or transported to another location on the same site) within a Building Control Area, is treated as if it is the 'erection' of a new building unless exempted under the *Building Regulations*. Before this amendment, the exemption in the *Building Regulations* only applied to houses relocated onto 'approved rural land', which is defined in regulation 36A as land within Zones A (Agriculture), H (Horticulture), R (Rural) and RL (Rural Living) of the NT Planning Scheme.

The Department of Lands, Planning and the Environment identified land in Zone WM as having the same general characteristics as the land in the zones already included in the definition of 'approved rural land'. Land in Zone WM is not located in any urban areas, the lot sizes are large and it is unlikely there are any neighbours who would be aggrieved by the aesthetics of an older building being put on the land. The definition of 'approved rural land', and therefore the exemption from the requirement to fully upgrade relocated houses to current building standards, is extended to include land in Zone WM.

Summary of key provisions

The *Building Regulations* have been amended to insert, in regulation 36A, a new paragraph as follows:

"(e) Water Management."

Legislative Authority

Section 168 of the *Building Act*.