

Planning and Development

DEMOLITION

Overview

Demolition of all buildings and structures for which Council's approval would have been required to erect the structure initially will require Development Approval.

Demolition is for complete or partial removal of:

- A building
- A structure (including verandahs, carport, sheds, garages, retaining walls) and
- Swimming pools and spas

The Council will take into consideration the building's heritage value and the set requirements within the zone when assessing the Development Plan Consent.

Matters of safety, health and fire protection of other structures in the immediate area will be considered as well as the method of demolition when assessing the Building Rules Consent.

Do I Require Development Approval for a Demolition?

A Development Application needs to be submitted to Council to partially or totally demolish a building and/or associated structures.

If your property is listed as a State or Local Heritage Place, or located within the Historic Conservation Zone/Area or a designated area as declared by the Minister you will be required to obtain full Development Approval.

If your property does not fall within the above areas, then only Building Rules Consent is required.

Other Authorities and Legislation

An applicant may need to contact or seek approval from other statutory authorities that provide services to the allotments, such as water, electricity, gas and telecommunications, or the state department administering industrial affairs.

There may be specific requirements for demolition contained in legislation such as the Work Health and Safety Act 2012 or Environment Protection Act 1993.

Specific Development Application Information Required:

- Demolition application form – completed.
- Development application form - completed
- A description in writing of the demolition procedure, including details of the measures to be taken to provide satisfactory levels of safety on and about the site.

Legal Obligations to Adjoining Properties

A land owner who proposes to undertake works on a boundary which may be considered to affect the neighbouring land may need to give twenty eight (28) days' notice to the neighbour setting out the nature and scope of the work as required pursuant to Section 60 of the Development Act 1993. The neighbour may be able to ask the proposer to pay for a report and specifications from a professional engineer [Reg.75 of the Development Regulations 2008]. The neighbour can then require that the proposer complete the work specified by the engineer. A proposer who fails to serve a notice or who fails to carry out work specified after a notice faces a fine of up to \$10,000 [Section 60 (2) of the Development Act 1993]. However, a proposer may be able to obtain some payment from the neighbour towards the work. This may occur, for example, where the neighbour will obtain some additional benefit from the performance of work specified by the engineer.

Other information

Council Rates

For rating purposes, the Council rates on a vacant land are significantly higher than residential land. Rates are calculated at the specific rate in the dollar by the property valuation supplied by the Valuer-General as at June 30 each year. The intention of this is to encourage development within the region.

Safety Information

Demolition Work Code of Practice – Safe Work Australia
<https://www.safework.sa.gov.au/sites/default/files/5.4.3-demolitionworkcop.pdf?v=1529288842>

Safework SA provides additional safety and compliance information – visit

<https://www.safework.sa.gov.au/resources/demolition-work#>

- Notifiable demolition work
- Risk management
- Identifying hazards
- Assessing the risks
- Controlling the risks