

Implementation Guideline

No. 1 – Transportable Buildings (Shipping Containers, Train Carriages, Demountable Buildings and the like)

Date of Council Resolution

This guideline was adopted by Council on 28 October 2019.

Purpose of the Guideline

The purpose of this guideline is to assist with the implementation of the Amenity and Aesthetics Referral Provisions, as adopted by Council in accordance with the *Planning Act 2016* and local government as referral agency provisions under the *Planning Regulation 2017*. In particular, this guideline relates to the installation of transportable buildings for Class 1 or Class 10 purposes.

Council's Implementation Guidelines assist to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines, the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

Discretion may be Applied

Notwithstanding the actual provisions contained in this guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount, (including a specific numerical standard) would affect the overall intent of this guideline.

Background

Improper installation of transportable buildings generally results in unsightly and unacceptable impacts on both neighbourhood amenity and nearby properties.

Transportable buildings that have not been installed appropriately and maintained may become dangerous and a harbourage for vermin.

The term transportable building includes, but is not limited to the following:

- Shipping containers
- Train carriages
- Demountable buildings
- Work huts/site sheds
- Converted vehicles (e.g. caravans, trailers etc.)

Application of this Guideline

1. The Size of the Property

Transportable buildings are generally not considered suitable for medium or small residential properties where they would be in conflict with the amenity or character of the neighbourhood (e.g. lots less than 850m²). In exceptional circumstances approval may be given to install a transportable building on a lot less than 850m², where all other criteria in these guidelines can be met. Conversely, approval may not be granted to install a transportable building on a lot greater than 850m² where other relevant criteria contained in these guidelines cannot be met.

2. The land use designation of the property.

The suitability of locating a transportable building on land designated as:

- (i) urban; or
- (ii) rural; or
- (iii) industrial/commercial; or
- (iv) has heritage attributes (transportable buildings are undesirable and unlikely to be approved in heritage character areas).

3. Number of Transportable Buildings

Council will normally grant approval for no more than one transportable building on a parcel of land.

4. Attributes of the Transportable Building

The suitability of locating a transportable building on a property based on the containers:

- (i) footprint;
- (ii) height;
- (iii) appearance;
- (iv) condition.

Transportable buildings that are damaged, rusted or considered oversized for the property are unlikely to be approved.

5. Location of the Transportable Building on the Property

Transportable buildings are unlikely to be approved where they are located:

- (i) between the front building alignment and the street; or
- (ii) at the side of a building and readily viewable from the street; or;
- (iii) in close proximity to habitable rooms on an adjoining property.

The most appropriate location for a transportable building is generally behind the alignment of the principal building or other outbuildings where they are not visible from the street and concealed as far as practicable from nearby properties.

6. Proposed use of the Transportable Building

Unless otherwise specifically designed, the use of transportable buildings for habitable or business uses is not considered in keeping with the general purpose of a transportable building and is unlikely to be approved.

7. Treatments

Treatments that may be applied to reduce the visual impact of the transportable building include:

- (i) painting;
- (ii) recladding/reroofing
- (iii) screening by way of landscaping with mature trees/shrubs or installing fencing;
- (iv) incorporating as part of other class 10 buildings/structures.

8. Maintenance

Council may condition that the approval for the transportable building require the owner to maintain any treatments applied to the shipping container in an acceptable manner at all times.

9. Time Limitation

Council may condition the approval for the transportable building to be limited to a certain period of time (for example 2-4 years). Where applicants require the use of a transportable building for only a limited time this information should form part of the application.

Building Approval

The installation of a transportable building constitutes assessable building work in accordance with the *Building Act 1975* and as such requires a building approval, additional to an amenity and aesthetics approval, prior to installation. The building approval will consider matters such as:

- (i) the structural integrity of the transportable building;
- (ii) site wind conditions and method of anchorage, verified by a Registered Professional Engineer of Queensland (RPEQ);
- (iii) associated treatments and attachments;
- (iv) associated earthworks; and
- (iv) stormwater discharge and runoff.

Other Approvals

- (1) A referral agency response for a siting variation may also be required, pursuant to Schedule 9, Part 3, Division 2, Table 3 of the *Planning Regulation 2017*, if the wall lengths, boundary clearances or site cover of the proposed and any existing buildings exceed the limits contained within the Queensland Development Code.
- (2) If the proposed building will be located over or near a service providers infrastructure, additional approvals may be required from Queensland Urban Utilities (sewer or water) or Council (stormwater) BEFORE an amenity and aesthetics approval.
- (3) If the proposed building relies on access other than the primary residential access, a Driveway Permit will be required BEFORE an amenity and aesthetics approval. For further information, please refer to Council's website, www.ipswich.qld.gov.au/residents.