

Amendment to subordinate local law - shipping containers on residential properties for temporary use

What has changed?

Most buildings and structures require a building approval under the National Construction Code (Building Code of Australia).

Shipping containers fall into this category. The change to this local law, reduces the burden of applying for a building approval if the shipping container is a temporary storage solution on a property.

The amendment allows a period of grace where a shipping container can be temporarily placed on a property under a local law approval without requiring building approval. Once this period has ended, the shipping container is considered permanent and a building approval is required for it to remain on the property.

A local law approval is not required if the shipping container is placed temporarily:

- On an urban property for less than 90 days.
- On a rural property for less than 180 days.
- Being used on a construction site during building works.

What is an urban area?

If your property is located in a rural, rural residential or environmental management and conservation zone, it is generally not considered to be in an urban area.

If you are unsure if your property is located in an urban area, contact Council for assistance.

The amendment aims to:

- Provide clear, consistent standards for residents and businesses wishing to use shipping containers on a temporary basis.
- Provide an easier process for approving a shipping container on a property if it will only be on the property for a temporary period.
- Ensure that owners of shipping containers that remain on a property on a permanent basis apply for the appropriate building approvals. The approvals make sure buildings and structures are safe and built correctly. It allows a qualified building certifier to check that the work meets Australian building standards and is suitable for the site. This helps

protect property owners, neighbours and the wider community by ensuring buildings are constructed safely and legally.

- Enable Council to better resolve issues and respond to complaints and respond to complaints by providing the tools and authority to do so.

Why Council amended this subordinate local law?

Council receives complaints about shipping containers on residential properties, including concerns about where they are placed, their condition and appearance, safety risks and impacts on neighbouring properties.

The amendment introduces clear requirements for the temporary use of shipping containers on residential properties, helping Council respond to concerns and making it clearer when Council approval is required.

It also means that once the local law approval expires, and if the shipping container is to become a permanent solution for a property owner, the owner is clear that they will then be required to apply for a building approval.

When is a building approval required?

You will need building approval from Gympie Regional Council if you plan to keep a shipping container on a property permanently, after:

- 90 days on an urban property.
- 180 days on a rural property.

This means you will need a need building approval if you plan to use a shipping container on a permanent basis including (for example) as a:

- Permanent shed.
- Home or granny flat.
- Workshop.
- Swimming pool, fishpond, viewing platform or other permanent structure.

Building approvals help to:

- Protect safety by ensuring buildings are constructed to the required standards.
- Reduce risks such as structural failure, fire hazards and unsafe construction.
- Ensure compliance with the National Construction Code and Queensland building requirements.
- Confirm appropriate siting on the property, including setbacks from boundaries and other structures.
- Protect property owners by ensuring work is properly approved and inspected.
- Maintain community standards and support orderly development.

Who may be impacted?

The changes may affect any landowner, no matter how small or large the property, who uses a shipping container on their property for any use.

How Council will apply the amended local law?

Council is not planning a proactive inspection campaign to visit every property to see if there is a shipping container that requires an approval.

However, it will respond when a complaint is received from the community about a shipping container on a residential property and if the complainant expresses concerns about safety, its condition, or its impact on neighbouring properties.

Council will contact the property owner about these concerns and work with them to resolve the issue wherever possible. Compliance action will only be considered as a last resort.

Council will also provide information to help residents understand the new requirements, how they may be affected and whether they need to apply for Council approval.