

## LOCAL PLANNING POLICY – SEA CONTAINERS

### BACKGROUND

In recent years there has been an increased use of sea containers for storage purposes within the Shire of Quairading. Sea containers provide a cheap and secure way of storing goods, but have the potential to affect the amenity of an area, given their industrial design and often poor location and maintenance.

### PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under Local Planning Scheme No.3. The Scheme prevails should there be any conflict between this policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

### OBJECTIVE

The objectives of this policy are as follows:

- (a) To establish clear guidelines for the placement of sea containers used for storage purposes within the Shire;
- (b) To ensure that any sea container does not detract from an existing (or reasonably desired) streetscape; and
- (c) To achieve a balance between providing the legitimate need for sea containers as an affordable and secure storage option, and minimising any impact on neighbours, streetscape, the amenity of the neighbourhood or locality and of the Shire as a whole.

### SCOPE

Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the preparation of local planning policies to apply generally or to a particular class or classes of matters and throughout the Scheme area or in one or more parts of the Scheme area.

This policy will apply to the use and installation of 'sea containers' throughout the Scheme area, that is the whole of the Shire of Quairading's municipal district. For the purposes of this policy, a Sea Container is defined as a large metal container originally manufactured to carry goods on a sea/ocean-going vessel.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

## POLICY

### 1. Exemptions to requirement for Development Approval

- a) A single sea container does not require development approval when located on a property zoned Rural, Rural Residential, Rural Enterprise, Light Industry, General Industry or Industrial Development in Local Planning Scheme No.3 provided it meets with the general requirements set out below as well as Table 1 and is used in association with the current approved/permitted use of the property.
- b) For properties zoned Rural the placement and use of two (2) sea containers used in conjunction with extensive or intensive agricultural activities does not require development approval.
- c) Sea container(s) fully enclosed within an existing building in any zone do not require development approval.
- d) Sea container(s) placed temporarily on any property in the Scheme Area for the purposes of furniture and/or goods removal or delivery do not require development approval where they are located within the designated lot boundaries for seven (7) days or less. For any land classified Light Industry, General Industry and Rural Enterprise zone, the temporary placement and use of sea containers associated with an approved transport depot or warehouse/storage development are permitted for a period of up to sixty (60) days unless otherwise authorised in writing by the local government.
- e) Notwithstanding any other requirements of this policy, a sea container may be placed within the designated boundaries of any lot for the temporary storage of building materials and/or equipment during construction works on the property, where:
  - (i) A building permit approval for the construction works has been issued and remains valid;
  - (ii) The sea container is not placed on-site more than two (2) weeks prior to the commencement of construction or associated preparatory works; and
  - (iii) The sea container is removed from site within four (4) weeks of the conclusion of construction works and prior to occupation of the building.

### 2. General Requirements


- a) Sea container(s) are to comply with the criteria set out in Table 1 of this policy.
- b) Sea container(s) may not be placed on a road, verge, footpath or other public area unless otherwise approved by the local government. Any approval granted in this regard will include a condition requiring the applicant to establish and maintain a current public liability insurance policy naming the local government and indemnifying the applicant and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to the use of the sea container.
- c) Sea container(s) are to be suitably screened and/or fenced from the road frontage, public space and neighbouring properties. Where a sea container has high visibility from a public space and/or any neighbouring properties, the installation of screening to a minimum height equal to that of the sea container may be required.

- d) Sea container(s) shall not compromise or obstruct vehicle or pedestrian sight lines, thereby creating a public safety concern.
- e) Sea container(s) shall not be located over on-site effluent disposal infrastructure or other utilities and shall be located on a flat, compacted area.
- f) Sea container(s) shall be adequately ventilated, in good repair and painted a uniform colour to complement the building to which it is ancillary.
- g) Sea container(s) shall be fitted with an internal emergency door release or some other mechanism deemed acceptable by the local government's building surveyor to avoid the risk of entrapment.
- h) Sea container(s) will not be permitted on any vacant, undeveloped land in the Scheme Area unless for the purposes of storage for construction purposes as outlined in sub-clause 1(d) above.
- i) Where a sea container is proposed to be modified for habitable purposes, it will be assessed against the requirements of the Shire of Quairading Local Planning Scheme No.3 and must be modified to meet the requirements of the Building Act 2011 and any other relevant building and health legislation. Once a sea container is modified, it is no longer considered a sea container for the purposes of this policy.

### 3. Application Requirements

- a) A suitably scaled site plan shall be submitted with any application required pursuant to this policy and the Shire of Quairading Local Planning Scheme No.3 indicating the size, floor area and proposed location of the sea container on the land, its proposed setbacks to all lot boundaries, the final finished floor level, vehicle and pedestrian access arrangements thereto, and any proposed stormwater drainage management measures.
- b) Photographs of the sea container shall be submitted with the application showing its current appearance including colour and condition. If the container is in a poor state of repair and/or of a colour that does not complement existing improvements on a property, the application may be approved with conditions requiring cladding, painting and/or screening.
- c) Details of the proposed use of the sea container shall be submitted with the application.
- d) The application shall be accompanied by details demonstrating how the proposed sea container will comply with any applicable requirements outlined in **Table 1**.
- e) A separate building permit application is required for the permanent placement and use of a sea container on any land in the Scheme Area unless an express exemption to this requirement is provided in the *Building Regulations 2012*.

### Record of Policy Review

Version	Author	Council Adoption	Resolution	Reason for Review	Review Date	CEO Signature
01	Graeme Fardon	25/06/15	228-14/15	New Policy	June 17	
02	Nicole Gibbs Joe Douglas	24/11/22	115 - 22/23	Need for review and adoption under Local Planning Scheme No.3	Nov 24	

**Table 1 – Sea Container Requirements**

Zone	Boundary Setbacks	General Requirements	Special Requirements
Residential	In accordance with the requirements of the Residential Design Codes (i.e. R-Codes) unless otherwise approved by the local government.	<p>Only one (1) standard 20-foot sea container is permitted per lot unless otherwise approved by the local government.</p> <p>Shall be located to the rear of a dwelling and not be visible from the street.</p> <p>The sea container is considered part of the maximum permitted total outbuilding floor area and shall not reduce the open space requirements of the R-Codes.</p> <p>The sea container shall be used for domestic storage purposes only.</p> <p>The sea container shall not be located over septic tanks, leach drains or other key essential service infrastructure.</p>	<p>The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property unless otherwise approved by the local government.</p> <p>The sea container shall be fitted with a pitched roof unless otherwise approved by the local government.</p> <p>Applicants shall obtain the written consent of all immediately adjoining private landowners and submit copies with any development application to the local government.</p> <p>The sea container shall be screened from view of the street, including secondary streets and all adjoining properties.</p>
Commercial, Rural Townsite & Private Clubs, Institutions & Places of Worship	In accordance with the requirements of the Shire of Quairading Local Planning Scheme No.3 and/or the R-Codes unless otherwise approved by the local government.	<p>Only one (1) standard 40-foot sea container is permitted per lot unless otherwise approved by the local government.</p> <p>The sea container shall not be located in the front setback area of any lot.</p>	The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property unless otherwise approved by the local government.

Zone	Boundary Setbacks	General Requirements	Special Requirements
Rural Residential		The sea container shall be used in association with the current approved/permitted use of the lot.	<p>The sea container shall be screened from view of the street, including secondary streets and all adjoining properties.</p> <p>Sea container(s) shall not compromise or obstruct vehicle or pedestrian accessways, corner truncations, access to parking areas or any parking bays provided on-site.</p>
	In accordance with the requirements of the Shire of Quairading Local Planning Scheme No.3 including any building envelope provisions unless otherwise approved by the local government.	<p>Only one (1) standard 20-foot sea container is permitted per lot unless otherwise approved by the local government.</p> <p>The sea container shall not be located in the front setback area of any lot unless otherwise approved by the local government.</p> <p>The sea container shall be used in association with the current approved/permitted use of the lot.</p>	<p>The sea container shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property unless otherwise approved by the local government.</p> <p>The sea container shall be screened from view of the street, including secondary streets and all adjoining properties.</p>

Zone	Boundary Setbacks	General Requirements	Special Requirements
<p>Light Industry, General Industry &amp; Rural Enterprise</p>	<p>In accordance with the requirements of the Shire of Quairading Local Planning Scheme No.3 unless otherwise approved by the local government.</p>	<p>Two (2) sea containers are permitted per lot. Where it is proposed to utilise more than two (2) sea containers, the application will be considered on its individual merits.</p> <p>The sea container/s shall not be located in the front setback area of any lot unless otherwise approved by the local government.</p> <p>The sea container shall be used in association with the current approved/permitted use of the lot.</p>	<p>Sea container(s) shall not compromise or obstruct vehicle or pedestrian accessways, corner truncations, access to parking areas or any parking bays provided on-site.</p>
<p>Rural</p>	<p>In accordance with the requirements of the Shire of Quairading Local Planning Scheme No.3 unless otherwise approved by the local government.</p>	<p>Up to four (4) sea containers are permitted per lot.</p> <p>Where it is proposed to utilise more than four (4) sea containers, the application will be considered on its individual merits.</p> <p>The sea container/s shall not be located in the front setback area of any lot unless otherwise approved by the local government.</p> <p>The sea container shall be used in association with the current approved/permitted use of the lot.</p>	<p>Where the sea container is visible from a public place and/or any neighbouring property, it shall be screened or painted a colour complementary to its surroundings.</p>

