



POLICY NO	LPP 5
POLICY	Sea Containers

## CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as 'Local Planning Policy 5 – Sea Containers'.

## INTRODUCTION

Sea containers are a class of development that can have an adverse effect on the visual amenity of an area.

Therefore, as a general rule the Shire of Wyndham East Kimberley carries a presumption against the location of sea containers being highly visible in urban areas, other than required for the storage of materials and equipment associated with a construction site and limited to a period of six (6) months.

To meet acceptable amenity standards in a particular locality, it is necessary that conditions be imposed on any approval granted for the use of a sea container.

## OBJECTIVES

- To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of a locality.
- To establish clear guidelines for the assessment of proposals to place sea containers or other similar relocatable storage units on land within the Shire.

## APPLICATIONS SUBJECT OF THIS POLICY

This policy does not address proposals for a sea container modified for the purpose of human habitation. A proposal for a habitable sea container shall require development and building approval applications to be lodged with the local government for consideration.

This policy applies to proposals for sea containers to be used for storage purposes only.

## APPLICATION REQUIREMENTS

Development approval is not required to be obtained for the temporary use of a sea container in accordance with Clause 3.1 or 3.2 below.

Development approval is required in all other instances where a sea container is proposed on a private property that does not comply with Clause 1, 3.1, 3.2 or 3.3 below.

An application for development approval should be accompanied by the following information:

- (a) Completed development application form;
- (b) Payment of relevant application fee;



- (c) Dimensioned Site Plan: showing location of all existing and proposed development and distances to boundaries;
- (d) Dimensioned Floor Plan: showing length and width of development;
- (e) Dimensioned Elevation Plan: showing total height, and details of windows, colours and cladding materials; and
- (f) Detail in writing how the sea container meets the relevant Policy Statement requirements.

### Additional Approvals Required:

A Building Permit is required, prior to the placement of a sea container on site, where it is proposed to be permanent or located for longer than six (6) months. The Building Permit application needs to be accompanied by engineering footing and tie down details.

A hoarding permit is required, prior to the placement of a sea container on a road reserve/verge for the storage of building materials and equipment in connection with a building under construction on an adjacent property.

## **POLICY STATEMENT**

### **1. Permanent placement of a sea container on land zoned for agriculture, industry or rural purposes:**

#### 1.1 Sea containers in these zones are to be:

- Located behind the prescribed front boundary setback for the property, and where practicable, be placed to the side or rear of an existing building; and
- Painted in a colour that is similar to or complementary to the colour of existing buildings on the property, or the prevailing landscape; and
- Located to not impinge on any car parking spaces or obstruct access to pedestrians or traffic;

1.2 Development approval is not required to place a sea container on land in an agricultural, industrial or rural zone.

1.3 An application for a Building Permit is required to be lodged and approved by the local government, with the application to include engineered footings and tie down details.

### **2. Permanent placement of a sea container on land in all other zones:**

2.1. An application for development approval is required to be lodged and approved by the local government, as a sea container is considered incidental 'development' under the Local Planning Scheme;

2.2. A sea container must be placed in the rear yard of a property and painted in a colour that compliments the existing development on the lot and amenity of the area, or is adequately screened through the application of landscape screening or other measures acceptable to the local government;

2.3. A sea container must not exceed the maximum dimensions of 6.1 metres in length, 2.5 metres in width, and 2.6 metres in height;

2.4. An application for a Building Permit is required to be lodged and approved by the local government, with the application to include engineered footings and tie down details.





### 3. Temporary placement of a sea container:

Temporary placement of a sea container may be considered in the following circumstances:

- 3.1. A sea container may be temporarily placed on private property where it is used for the storage of building materials and equipment in connection with a building under construction on the site, subject to it:
  - Being the only sea container on the site; and
  - Not exceeding the maximum dimensions of 6.1 metres in length, 2.5 metres in width and 2.6 metres in height; and
  - Being on the site for a maximum period of six (6) months; and
  - Only being placed on the site after the issue of a Building Permit for the building on the site.
- 3.2. A sea container may be temporarily placed on private property zoned for agriculture, industry or rural purposes without requiring a development approval or building permit, subject to the sea container:
  - Being appropriately tied down if located within a Wind Region B or C, as defined by the Building Code of Australia; and
  - Being on the site for a maximum period of six (6) months.
- 3.3. A sea container is only permitted within the road reserve/verge directly adjacent to a property to facilitate minor home renovations, landscaping works or for the purposes of relocating personal goods to/from the adjoining property where a written request has been received and acknowledged by the Planning and Regulatory Services Department and subject to it:
  - Not exceeding the maximum dimensions of 6.1 metres in length, 2.5 metres in width and 2.6 metres in height; and
  - Being on the verge for a **maximum** 14 day period;
  - Not being located on a footpath; and
  - Not impeding the vision of adjacent property owners or road users.
- 3.4. A sea container is only permitted within the road reserve/verge for the storage of building materials and equipment in connection with a building under construction on an adjacent property if a hoarding permit has been obtained.

#### Variations:

Application's seeking variation/s to this Policy shall be determined in accordance with the objectives of this Policy and on an individual merits basis, including but not limited to matters such as: context and location, written comments from affected landowners and any other circumstance and factor affecting the application in the opinion of the local government.

#### CONSULTATION

The local government may consult with adjoining/surrounding landowners where an application for a sea container is made that does not comply with the requirements of this Policy or at its discretion in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.



## DEFINITIONS

For the purpose of this policy:

“Sea container” includes:

- A metal transportable structure designed for storage and transport of goods by road, rail and sea (which may also be referred to as a shipping container); or
- A relocatable ‘box type’ storage container or unit.

Land zoned for agriculture includes:

- Agriculture – State or Regional Significance Zone;
- Local Horticulture Zone

Land zoned for industry includes:

- General Industry Zone;
- Light Industry Zone;

Land zoned for rural purposes includes:

- Rural Zone

“All other zones” includes:

- all zones, other than those listed above, within the Local Planning Scheme

## DOCUMENT CONTROL

<b>Responsible Directorate</b>	Planning and Community Development	
<b>Responsible Officer</b>	Director Planning and Community Development	
<b>Council Adoption</b>	Date: 30/03/2021	Resolution No: 30/03/2021-118406
<b>Reviewed/Modified</b>	Date:	Resolution No:
	Date:	Resolution No:
<b>Review Due</b>	Date: 30/03/2026	
<b>Compliance Requirements</b>		
<b>Legislation</b>	Planning and Development (Local Planning Schemes) Regulations 2015	
<b>Organisational</b>	Local Planning Scheme No. 9	