

SHIRE OF KONDININ
LOCAL PLANNING POLICY NO.POL-TP-003
SEA CONTAINERS



1. Objectives

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

2. Policy Statement

Part B of the Shire of Kondinin Local Planning Scheme No.1 being the deemed provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 (clause 3 and 4), provides for the preparation of local planning policies to apply generally or to a particular class or classes of matters 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' and throughout the Scheme area, that being the whole of the Shire of Kondinin.

The Shire of Kondinin as enabled under the *Planning and Development (Local Planning Schemes) Regulations 2015, Division 2, Schedule 2* of the deemed provisions hereby makes this Local Planning Policy. Whilst the policy is not part of the Scheme and does not bind the Council in respect of any application for planning approval, the Council is to have due regard for the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

3. Definitions

"Sea Container" a large metal container originally manufactured to carry goods on a sea vessel.



4. Policy Administration

4.1 Exemptions from Planning Approval

- a. A single sea container does not require planning approval when located on a property zoned General Industry, Light Industry, Rural or Rural Residential by the Scheme, provided it meets all the General Requirements set out below.
- b. For properties zoned Rural the placement and use of two sea containers used in conjunction with farming activities does not require planning approval;
- c. Sea container(s) fully enclosed within a building do not require planning approval;
- d. Sea container (s) placed temporarily on the property for the purposes of furniture and/or goods removal or delivery do not require Planning Approval where they are located on a property for seven (7) days or less.
- e. Notwithstanding other requirements of this policy, a sea container may be placed on the lot for the temporary storage of building materials and/or equipment during construction works, where:
 - i. Building approval for the construction works has been issued and remains valid;
 - ii. The sea container is not placed on site more than two weeks prior to the commencement of construction or associated preparatory works;
 - iii. The sea container is removed from site within four weeks of the conclusion of construction works and prior to occupation of the building
- f. Where a sea container is proposed to be modified for a dwelling, commercial or industrial building, it will be required to be assessed against the requirements of the Shire's Local Planning Scheme No.1 and is to 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.

4.2 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 or footpath or other public area.

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- c) Sea container(s) are to be suitably screened and/or fenced from the road frontage, public space and neighbouring properties where stipulated in Table 1 of this Policy.
 - d) Sea container(s) shall not compromise or obstruct vehicle or pedestrian sight line.
 - 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 with no visible rust marks and where stipulated in Table 1 of this Policy painted a uniform colour to complement the building to which it is ancillary.
 - g) Sea container(s) will not be permitted on vacant land in a Residential zone, unless for the purpose of storage for construction purposes outlined in 4.1 (d).
 - h) Sea container(s) shall be fitted with an internal emergency door release and appropriate ventilation mechanisms unless they are defined as temporary in nature as outlined in clauses 4.1 (d) and (e) of this Policy.
 - i) Sea containers shall not be stacked vertically in zones where more than one container is permitted.

4.3 Application Requirements

- a) A completed Form 1 Application for Development Approval and payment of the application fee to be submitted to the Shire.
- b) A scaled site plan shall be submitted with the application indicating the proposed location of the sea container and detailing setbacks to boundaries. The site plan shall also include other buildings, access ways and septic systems.
- c) Photographs of the sea container shall be submitted with the application indicating the condition of the sea container.
- d) Details of the use of the sea container shall be submitted with the application and if approval is being sought for a temporary period (state time period) or on a permanent basis.
- e) The application shall be accompanied by details of how it is proposed to comply with the special requirements, outlined in Table 1 of this Policy.
- f) All planning applications for sea containers will be advertised for a minimum of 14 days in accordance with the provisions of clause 64 of the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2.
- g) A Building Licence is required prior to the placement of the approved sea container(s) on site which must include tie down details.

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TABLE 1 – SEA CONTAINER REQUIREMENTS

Zoning	Setback	Requirements	Special Requirements
Residential	<p>In accordance with the requirements of the Residential Design Codes of WA (R Codes).</p> <p>Shall be located to the rear of the dwellings and shall not be visible from the street.</p>	<p>Only one standard 6 metre sea container per property.</p> <p>The sea container is considered part of the permitted maximum outbuilding floor area and shall not reduce open space requirements.</p> <p>The sea container to be used for domestic storage purposes only.</p> <p>The sea container shall not be located over septic tanks, leach drains or utilities.</p>	<p>The sea container shall be painted in a colour that is similar or complementary to the colour of the existing buildings on the property.</p> <p>Applicants shall obtain the written consent of surrounding neighbours.</p> <p>The sea container shall be screened from view of the street, including secondary streets and adjoining properties.</p>
Commercial, Rural Town site and Urban Development	<p>The sea container to be located in accordance with the provisions of the Shire of Kondinin Local Planning Scheme No.1 for the zone.</p> <p>The sea container shall not be located in front of the building set back.</p>	<p>Only one standard 12 metre sea container permitted per property.</p> <p>The sea container is to be used in association with the approved use of the property.</p>	<p>The sea container shall be painted in a colour that is similar or complementary to the colour of the existing buildings on the property.</p> <p>The sea container shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on site.</p>
Rural Residential	<p>The sea container to be located in accordance with the provisions of the Shire of</p>	<p>Only one standard 6 metre sea container per property.</p>	<p>The sea container shall be painted in a colour that is similar or complementary to the colour of the existing buildings on the property.</p>

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	<p>Kondinin Local Planning Scheme No.1 for the zone.</p> <p>The sea container shall not be located in front of the building set back.</p>	<p>The sea container to be used for domestic storage purposes only.</p>	
General and Light Industry	<p>The sea container to be located in accordance with the provisions of the Shire of Kondinin Local Planning Scheme No.1 for the zone.</p> <p>The sea container shall not be located in front of the building set back.</p>	<p>Generally up to two 12 metre sea containers are permitted per property. Where it is proposed to utilise multiple sea containers, the application will be considered on its merits.</p> <p>The sea container to be used in association with the approved use of the property.</p>	<p>The temporary storage of containers associated with an approved transport or storage premises is exempt from the above requirements.</p> <p>The sea container shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on site.</p>
Rural	<p>The sea container to be located in accordance with the provisions of the Shire of Kondinin Local Planning Scheme No.1 for the zone.</p> <p>The sea container shall not be located in front of the building set back.</p>	<p>Up to two 12 metre sea containers are permitted per property.</p> <p>Where it is proposed to utilise more than two sea containers, the application will be considered on its merits.</p> <p>The sea container is to be used in association with the approved use of the property.</p>	<p>Where the sea container is visible from a public place or neighbouring property, it shall be painted in a colour that is similar or complementary to its surroundings.</p>