

Local Planning Policy No 29

Sea Containers



Shire of
Chittering

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STATUTORY CONTEXT

The Shire of Chittering, as enabled under Part 2 Clause 2.2 of *Town Planning Scheme (TPS) No 6*, hereby makes this Local Planning Policy (LPP) regarding Sea Containers.

Any LPP prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

An LPP is not part of the Scheme and shall not bind the Local Government in any respect of any application for Planning Approval, but the Local Government shall have due regard to the provisions of any Policy, and the objectives which the Policy is designed to achieve before making its decision.

This policy applies to all land zoned within the Shire of Chittering and supersedes Local Planning Policy No 29 - Sea Containers (adopted 28 September 2005).

1.0 DEFINITIONS

The following are definitions that relate directly to the application of this policy:

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained. (*Town Planning Scheme No. 6*)

“Building Setback Area” means the area of any lot between the property boundary and the building setback line, measured at right angles (90 degrees) to the boundary (*Residential Design Codes*)

“Council” mean the elected members of the Shire.

“Lot” has the same meaning as in the *Town Planning and Development Act 1928*, but does not include a strata or survey strata lot (*TPS No. 6*)

“Other Similar Structures” is a prefabricated structure with a flat roof and rectangular in shape and is capable of being transported (includes a donga or a railway carriage.

“Sea Container” means large metal container originally manufactured to carry goods in a sea vessel.

“Shire” means Shire of Chittering.

“TPS No. 6” means *Town Planning Scheme No. 6*.

2.0 OBJECTIVES

The objectives of this policy are:

- *To provide guidelines for placement, use, size and construction of sea containers and other similar storage structures.*
- *To maintain the rural character and landscape amenity of the Shire.*
- *To allow for the temporary controlled use of sea containers during building construction.*

3.0 POLICY STATEMENT

3.1 *Exemptions from Planning Consent Requirements*

Planning consent is not required for:

- a) use of containers fully enclosed within a building; or
- b) loading or unloading of containers for shipping, provided that the container does not remain on the one lot for longer than seven days.

3.2 *General Requirements for Sea Containers*

Unless exempt from planning consent requirements as specified in 3.1 above:

- a) approval is required for use of all containers and applications are to be submitted to Council for determination;
- b) containers are not to be located in:
 - a. building setback or exclusion areas, as specified in LPP No. 18 Setbacks;
 - b. firebreaks, as specified in LPP No. 21 Fire Management Plans; and
- c) containers are to be screened from view from public spaces and neighbouring properties;
- d) containers must open from the inside for safety;
- e) containers must be painted to match either dwelling or shed;
- f) containers must be located a minimum 1.8 metres from septic tanks, leach drains and utilities.

3.3 *Temporary Use of Sea Containers*

Council may grant approval for temporary use of one (1) sea container of 6m or less in Rural Residential, Small Rural Holdings, Rural Retreat zonings for up to 12 months, in the following circumstances:

- a) people are residing on the lot, with approved building plans, house slab constructed and approved sewerage system connected;
- b) the requirements of 3.2 above are satisfied and the container is sited at the rear of the property, behind the dwelling under construction, or next to/or to the rear of a shed, where the dwelling is already constructed.
- c) at the end of the approved period the container is to be removed from the lot, unless granted an extension of time by Council;
- d) sea containers are not permitted in Townsite zones;

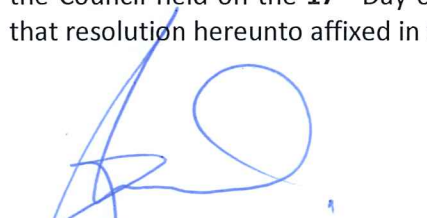
- e) the Sea Container or other similar structure shall be located to the rear of the building and/or integrated with existing buildings so it is not prominently visible from the street;
- f) shall be located to be compliant with setbacks under the scheme;
- g) if sea container falls into disrepair or becomes unsightly, the Shire of Chittering will require its removal.

3.4 Permanent Use of Sea Containers

- a) Permanent use of containers is permitted within the Agricultural Resource Zone, in accordance with 3.2 above; no planning approval is required in the Agricultural resource zone.
- b) Permanent use of one 6 metre may be permitted in rural residential, rural small holding and rural retreat zones in accordance with 3.2 above;
- c) Permanent use of containers is not permitted within Townsite zones, unless on 2ha lots or greater;
- d) Containers are to be screened from view from public spaces and neighbouring properties by:
 - a. landscaping and the use of natural vegetation;
 - b. fencing that is sited next to /or rear of an outbuilding; and/or
 - c. with the requirements of 3.2 above, the container is sited next to/or behind the rear of an outbuilding structure; and
- e) Containers must be painted to match either dwelling or shed.

ADOPTED FOR PRELIMINARY APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 15th Day of **September 2015**.

ADOPTED FOR FINAL APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 17th Day of **August 2016** and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:



Cr Gordon Houston
President



Alan Sheridan
Chief Executive Officer

