



POLICY NO:-

**SDev CP096 – LOCAL PLANNING POLICY - SEA CONTAINERS****GOVERNANCE INFORMATION**

<b>Procedure Link:</b>	NA	<b>Administrative Policy Link:</b>	NA
------------------------	----	------------------------------------	----

**ADMINISTRATION INFORMATION**

<b>History</b>			OCM 08/03/12	Res: 57/12	<b>Synopsis</b>	Policy created. 08/03/2012
	1	DEV21	OCM 10/05/12	Res:	<b>Synopsis</b>	Reviewed Policy Adopted
<b>Version</b>	2	CP096	SCM 26/07/18	Res: 251-18	<b>Synopsis</b>	Reviewed and Adopted by Council
<b>Version</b>	3	SDev CP096	OCM 30/09/20	Res: 269-20	<b>Synopsis</b>	Reviewed and Adopted by Council
<b>Version</b>	4	SDev CP096	OCM 28/09/22	Res: 243-22	<b>Synopsis</b>	Reviewed and adopted by Council.
<b>Version</b>	4	SDev CP096	OCM 23/10/24	Res: 275-24	<b>Synopsis</b>	Reviewed and adopted by Council.

**1. RESPONSIBLE DIRECTORATE**

Sustainable Development

**2. PURPOSE OR OBJECTIVE**

The objective of this policy is to regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:

- (a) are located, screened and/or colour treated to appear visually integrated with the surrounding area; and
- (b) do not result in an adverse impact on amenity or streetscape.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Part VIII of Town Planning Scheme No. 3.

**3. REFERENCE DOCUMENTS**

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Shire of Dardanup Town Planning Scheme No. 3 (TPS3)

**4. DEFINITIONS**

'Sea Container' - A re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 1, Clause 1.8 of the Shire of Dardanup Town Planning Scheme No.3, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

**5. POLICY**

- 5.1 The Shire will not permit sea container(s) on land zoned 'Residential' or within any designated townsite boundary as defined under TPS3, other than in accordance with part 5.2 below.
- 5.2 Temporary uses: A sea container for temporary use does not require Development Approval in any zone where the following conditions are met:
  - (a) one sea container only is placed on the lot for up to a maximum of 7 days in any 12 month period, and is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or
  - (b) one sea container only is placed on a lot for up to a maximum 12 months, and is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.
- 5.3 Industrial Lots: On lots zoned General Industry or Light Industry, sea containers do not require Development Approval where all of the following conditions are met:
  - (a) sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 5m from all other boundaries;
  - (b) sea containers are stacked no more than two sea containers high;

- (c) sea containers are not located over drainage areas, septic tanks, or vehicle access ways; and
- (d) no other structures are proposed to be attached to or cover the sea containers.

5.4 Other than in accordance with parts 5.1 - 5.3 above, an application for Development Approval will be required in all other circumstances. All applications will be assessed having regard to this policy, and may only be supported where all of the following conditions are met:

- (a) The land is not zoned 'Residential' or located within any designated townsite boundary as defined under TPS3.
- (b) The proposed sea container(s)
  - i) is/are ancillary to an approved or permitted use;
  - ii) will not be located within the front setback area of any lot;
  - iii) will not be located in areas designated for car parking, landscaping, effluent control or storm-water control;
  - iv) will not be used for human habitation;
  - v) will only be used for the purpose of storage, unless otherwise approved by Council;
  - vi) Other than on lots zoned General Industry or Light Industry, sea containers being completely screened from view from nearby roads, other public places, and adjoining properties, or:
    - the exterior of the sea container(s) being painted to blend in with the surrounding development, or with the surrounding landscape if the lot is not developed, within 3 months of Development Approval, and maintained thereafter; and/or
    - screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter;
  - vii) Other than on lots zoned General Industry or Light Industry, sea containers must not be stacked on top of one another; and
- (c) On a lot zoned 'Small Holding', there must be an existing habitable dwelling on the lot and only one sea container will be supported.

5.5 Notwithstanding Part 5.4 above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity, or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.

## 6. APPLICATION

- a) This policy applies to all land zoned under TPS3.
- b) This policy does not apply to sea containers which have been previously approved by Council.
- c) The storage of all sea containers in all areas will require development approval from the Shire of Dardanup, prior to placement.

## 7 APPLICATION FOR DEVELOPMENT APPROVAL REQUIREMENTS

- a) An application for development approval shall be made on an Application for Development Approval Form 110 together with the following information:
  - i) A site plan showing the proposed location of the sea container(s) on the property distance of each sea container to all lot boundaries and the location of any existing buildings/structures, and the location of existing or proposed vegetation screens;
  - ii) Plans, dimensions and details of the sea container(s) which also includes the existing and proposed exterior colours;
  - iii) Photographs of the proposed sea container(s);
  - iv) Written details of proposed modifications and other works to be carried out to improve appearance and address amenity concerns (eg. painting, screen planting etc.).

- b) Notwithstanding that development approval may be granted by Council, a building permit may also be required to ensure compliance with all relevant requirements under the Building Code of Australia and relevant Australian Standards, if modifications are to be made to the sea container.

## **8 STANDARD CONDITIONS OF DEVELOPMENT APPROVAL**

If granted, the Shire's Development Approval may include the following conditions, as a minimum:

- a) All development being generally in accordance with the approved development plans which form part of this Development Approval.
- b) The exterior of the sea container s) shall be painted in a colour scheme that is consistent with the majority of the surrounding development on the lot, or that is consistent with the surrounding landscape if the lot is not developed, within 30 days of the date of Development Approval and maintained thereafter; and/or
- c) Screen planting of native vegetation that comprises a range of storeys, provides an effective visual screen and is a minimum of 2m deep, must be planted within 3 months of the date of Development Approval, and maintained thereafter; and
- b) The approved sea container(s) shall not be used for human habitation purposes.