

## 1. Subject

Sea Containers are defined as being redundant shipping containers that have been repurposed. Sea Containers are often being used on land in a manner that is unsightly and that is detracting significantly from the amenity of the locality in which the land is situated. Sea containers are used in Residential areas as an alternative to sheds and in Commercial and Industrial areas for storage and other purposes.

## 2. Objectives

Ensure that the use of Sea Containers is not unsightly and does not detract significantly from the amenity of the locality in which it is situated.

Establish guidelines for the assessment of applications for a permit to establish Sea Containers within the whole of the Shire local government area.

Set acceptable standards for an application to obtain Shire approval to establish a Sea Container on a particular property relevant to the land use.

## 3. General Provisions:

The following provisions will apply to all Sea Containers located within any land use zone.

Sea Containers:

- are only to be used in conjunction with an approved use on the lot
- must not be located over effluent disposal areas/systems
- must not be located over water mains, waste water or storm water drains, or underground power lines.
- must be setback from overhead power lines in compliance with the requirements of the relevant electricity authority
- will not be permitted in a Heritage Conservation Area.
- must not contain sanitary facilities (ablutions)
- must not be used for human habitation
- must not be placed on verges, or road reserves or other public places



#### 4. Specific Zone Provisions:

Land use zones are incorporated into the Scheme to distinguish allowable land uses that do not detract from the amenity or character of a given area. The following provisions (specified criteria), if adopted, will apply to their respective land use zones.

##### **Residential Zone**

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- A maximum of one Sea Container per allotment is allowable provided that it can be demonstrated that it meets the criteria as an 'Outbuilding' as defined in the *State Planning Policy 7.3 – Residential Design Codes Volume 1*
- Sea Containers will not be permitted in the Residential Zone on land where there is no existing dwelling or where there is no dwelling under construction
- Sea Containers are not to be located within the front setback of the property
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening
- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding
- Refrigerated Sea Containers are not permitted on Residential zoned land anywhere within the Shire
- With the exception of an approved Home Occupation, the Sea Container shall not be used for any commercial or industrial purpose.

##### **Commercial Zone**

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- A maximum of one Sea Container per allotment is allowable provided that their use is ancillary to the approved land use
- Sea Containers must not be located in areas designated as car parking
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening
- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding
- Refrigerator motors and other cooling devices must be modified to ensure that noise emitted from the unit complies with the *Environmental Protection (Noise) Regulations 1993*.



## **General Industrial Zone**

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- An unlimited number Sea Containers is allowable provided that their use is ancillary to the approved land use
- Sea Containers must not be located in areas designated as car parking or landscaping
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme

## **Townsite Zone**

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- A maximum of one Sea Container per allotment is allowable provided that their use is ancillary to the approved land use
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme
- Sea Containers must be screened from the streetscape (nearby roads, other public places and adjoining neighbours) by suitable vegetation or other appropriate screening
- Where Sea Containers cannot be screened, the Shire will require additional design features to be incorporated, e.g. roof structures, doors, cladding

## **Rural Residential Zone**

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- A maximum of two Sea Containers per allotment is allowable provided that their use is ancillary to the approved land use
- The placement of the Sea Container is to be in compliance with prescribed setbacks in Table II of Part 5 of the Scheme
- Is used for domestic storage purposes only
- Refrigerated Sea Containers are not permitted on Rural Residential zoned land anywhere within the Shire
- Sea Containers must not be stacked

## **Rural Zone**

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- An unlimited number Sea Containers is allowable provided that their use is ancillary to the approved land use
- Where located within 200m of a boundary of a lot or road, Sea Containers are to substantially screened from the road, neighbouring properties or public vantage points



## 5. Exemptions

All proposals for the placement of Sea Containers require the planning approval of the Shire prior to being sited on a lot, except where the Sea Container is:

- Placed within a fully enclosed buildings
- Associated with the temporary storage of building materials and/or equipment during approved building work being undertaken. The building works must have substantially commenced and the construction works do not lapse for more than 30 consecutive days.
- Placed temporarily on the property for the purposes of furniture and/or goods removal or delivery where they are located for seven days or less
- Proposed to be modified for a dwelling or commercial building. Once a Sea Container has been modified, it is no longer considered as a Sea Container for the purposes of this Policy.

## 6. Public Consultation

- Sea Containers that do not comply with the specified criteria will be advertised for public comment before being determined by the Council.
- Owners of property adjoining a proposed development site are to be invited to make comment on all applications for Sea Containers.
- All public consultation is required to be undertaken for a period no less than 14 days.

## 7. Related Local Law/legislation

- *Planning and Development Act 2005*
- *State Planning Policy 7.3 – Residential Design Codes of WA*
- *Shire of Dalwallinu Local Planning Scheme N<sup>o</sup> 2 (The Scheme)*

## 8. Related Delegation

- Chief Executive Officer
- Manager Planning & Development Services

## 9. Issue Date

Adopted 28 July 2020

## 10. Review/Amendments Dates

Nil

