

LOCAL PLANNING POLICY

LPP5: USE OF SEA CONTAINERS & OTHER SIMILAR STRUCTURES

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.2190
<i>Resolution Date</i>	18/12/2013
<i>Next Scheduled Review</i>	2021
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

OBJECTIVES

- (a) To provide guidelines for the placement, use, size and construction of sea containers or other similar storage structures.
- (b) To maintain a high level of visual amenity in the areas in which the sea containers will be located.

DEFINITIONS

The following are definitions that may be used as part of this policy in addition to the definitions included in Local Planning Scheme No 6:

“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.

“Council” means the elected members of the Shire.

“Dwelling” means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

“Donga” means a transportable building typically utilised as workers' accommodation throughout the mining industry and/or utilised as site offices and/or has the general appearance of mine site accommodation.

“**LPS 6**” means Local Planning Scheme No 6.

“**Other similar storage structure**” is a prefabricated structure with a flat roof, regular in shape and is capable of being transported (includes a donga and a railway carriage).

“**Residential Design Codes**” or “**RDC**” means State Planning Policy 3.1 issued by the Department of Planning.

“**Scheme**” means Local Planning Scheme No 6.

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

“**Setback**” means the distance from boundaries as defined in Local Planning Scheme No 6 or the Residential Design Codes.

“**Shire**” means the Shire of Northam.

STATUTORY POWERS

This Local Planning Policy is made pursuant to clause 2.2 of the Shire's Local Planning Scheme No 6.

POLICY STATEMENT

The location of sea containers and other similar structures within the Shire is regarded as development and will require planning approval.

All applicants will also be required to obtain a Building Permit.

For the purposes of assessment and approval, the local government will classify a sea container or other similar relocatable storage units as an outbuilding ancillary to the approved use of the land.

No sea container or other similar structure is permitted to be used for human habitation.

There will be no sea containers or other similar structures permitted in “Residential” zoned land within the Shire area. Sea containers and other similar structures used for temporary storage during the conduct of building works will be exempt from this requirement, provided that the following criteria are achieved:

1. The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site.
2. The building site has a current building permit and, when necessary, planning approval.

3. Construction works are actively being undertaken on the site and do not lapse for any period greater than 30 days.
4. The structure does not impact on pedestrian or vehicle movements in any way or obstruct vehicle sight lines.
5. The structure may not be permitted on the building site for a period longer than 6 months, unless specific approval from the Shire is obtained.
6. The structure is removed from the building site at the completion of the building works.

One smaller sea container (6m or less) or other similar structure may be temporarily or permanently used for storage on a property located in the "Rural Residential" and "Rural Smallholdings" zones subject, but not limited, to the following conditions:

- (a) The sea container or other similar structure shall be located to the rear of the dwelling and, in any event, within the allocated building envelope and shall not be visible from the street;
- (b) The sea container or other similar structure shall be located to be compliant with setbacks under the Scheme;
- (c) The sea container or other similar structure shall be fitted with doors and/or windows that can be opened from inside to ensure safety of users;
- (d) The sea container or other similar structure shall be painted to match the colour of the house and/or outbuilding and/or surrounding landscape;
- (e) The sea container or other similar structure shall not to be located over septic tanks, leach drains, utilities or easements;
- (f) That applicants shall obtain the written consent of surrounding landowners;
- (g) That the sea container or other similar structure shall be landscaped to screen it from surrounding landowners; and
- (h) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal.

One larger sea container (up to 12m) or other similar structure may be used for temporary or permanent storage only on a property in the "General Industry", "Light and Service Industry" and "Rural" zones with the Shire's approval subject to, but not limited to, the following conditions:

- (a) The sea container or other similar structure shall be located to the rear of buildings and that it is not prominently visible from the street;

- (b) The sea container or other similar structure shall be located to be compliant with setbacks under the Scheme;
- (c) The sea container or other similar structure shall be able to be opened from inside to ensure safety of users;
- (d) The sea container or other similar structure shall be painted to match the buildings on the lot;
- (e) The sea container or other similar structure shall not be located over septic tanks, leach drains or utilities;
- (f) The sea container or other similar structure obtain the written consent of the surrounding landowners; and
- (g) That if the sea container or other similar structure falls into disrepair and/or becomes unsightly, the Shire will require its removal.

Sea containers or other similar structures will generally not be permitted in the "Commercial", "Mixed Use", "Development" and "Tourist" zones or on Reserves (including road reserves).