



## Use of Shipping Containers and Similar Storage Structures

### Introduction

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy – Use of Shipping Containers and Similar Storage Structures an LPP.

### Objective

- To establish guidelines for the assessment of proposals to place shipping containers or other similar relocatable storage units on land within the Shire of Toodyay.
- To ensure an acceptable quality of development is achieved that does not detrimentally impact on the amenity of neighbouring properties, the streetscape or the overall area.

### Scope

This policy applies to all proposals for locating shipping containers for the purpose of storage across all zoned and reserved land within the Shire of Toodyay.

This policy does not apply to shipping containers proposed to be used as a dwelling or a habitable room. For proposals such as this please contact the Shire's Development and Regulation Department.

Shipping containers also falls within the definition of an Outbuilding under the R-Codes and therefore LPP.13 - Outbuildings in Residential Areas Policy may also apply to applications

### Definitions

<b>Act</b>	<i>Planning and Development Act 2008</i>
<b>Deemed-to-comply</b>	A proposal, or a component of a proposal, that complies with the deemed-to-comply provisions of the R-Codes, or an adopted local planning policy.
<b>Design principles</b>	In R-Codes Volume 1, specific design objectives for each element of R-Codes Volume 1 are to be met by all residential development subject to Volume 1 and are to be used in the preparation, submission and assessment for proposals for the purpose of determining their compliance with R-Codes Volume 1. A proposal is required to demonstrate compliance with design principles where it does not satisfy corresponding deemed-to-comply provisions.
<b>Outbuilding</b>	An enclosed non-habitable structure that is detached from any dwelling.
<b>R-Codes</b>	State Planning Policy 7.3 Residential Design Codes Volume 1 -

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	<p>provide a comprehensive basis for local governments to control residential development. The R-Codes sets out the basis of design and assessment of residential development – including ancillary dwellings.</p> <p>They generally apply to residential zones throughout Western Australia. They also specify the requirements for development control and minimise the need for separate planning policies for residential development.</p>
<b>Scheme</b>	The <a href="#">Shire of Toodyay Local Planning Scheme No. 4</a> , that specifies zoning and development standards gazetted pursuant to the <i>Planning and Development Act 2005</i> , as amended.
<b>Setback</b>	The horizontal distance between a wall at any point and an adjacent lot boundary, measured at right angles (90 degrees) to the boundary.
<b>Screening</b>	Permanently fixed external perforated panels or trellises composed of solid or obscured translucent panels. Can also be screening vegetation.
<b>Shipping Container</b>	means a large metal container originally intended to carry goods on a sea vessel. For the purpose of this Policy, a 'shipping container' shall also include a relocatable 'box-type' storage container or unit. A shipping container modified for the purpose of human habitation is not addressed in this policy and will be assessed by the local government as a dwelling.

### Policy Statement


This policy applies to the whole of the Shire of Toodyay.

1. All sea containers and other similar structures require development approval to prior their location on a property.
2. Sea containers and other similar structures used for temporary storage during the conduct of building works will be exempt from these requirements, provided that the following criteria are achieved:
  - (a) The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site;
  - (b) The building site has a current planning approval and building permit;
  - (c) Construction works are actively being undertaken on the site and do not lapse for any period greater than 60 days;
  - (d) The structure does not impact on pedestrian or vehicle movements in any way or obstruct vehicle sight lines;

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- (e) The structure may not be permitted on the building site for a period longer than 6 months, unless the special approval of Council is obtained; and
  - (f) The structure is removed from the building site at the completion of building works.
3. In determining applications for the use of Sea Containers, Council will require the following information to be provided by the applicant:
- (a) The necessary development application forms;
  - (b) Site plan showing the proposed location of the structure in relation to boundary setbacks, natural features and existing buildings;
  - (c) A written submission detailing the proposed works to be undertaken to improve the visual amenity of the structure; and
  - (d) Any elevation drawings considered appropriate.
  - (e) As sea containers and other similar structures may have an adverse effect on the visual amenity of an area, their location in Residential or Town Centre zones will not be supported unless the structure is for temporary building site works, as described in Part 2.
4. All sea containers and other similar structures shall comply with the following design and location criteria:
- a) The structure should be located so it has low visibility from any road and/or adjoining property, observing all setback requirements Local Planning Scheme No 4.
  - b) The structure should be located behind existing buildings and/or screening vegetation and not be located in front of the established or proposed building line.
  - c) Council may consider the location of the structure in a position where it may be visible from any road or adjoining residence, or isolated from the existing buildings on a property, when the external appearance of the structure is substantially modified (which may include roofing, cladding and/or painting) so as to conceal its appearance as a sea container.
  - d) The Council will permit up to four (4) shipping containers or similar storage structures on properties greater than 100 hectares.
  - e) Structures not exceeding a length of 6m will generally be approved on land other than on properties zoned structure length of up to 12m will be permitted on properties zoned than one hundred hectares (100ha).
  - f) Sea Containers or similar structures shall not be used for habitation purposes. The structure shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on a site.
  - g) The structure shall not compromise or obstruct vehicle or pedestrian sight lines, thereby creating a public safety concern.
5. The Council reserves the right to approve the siting of a sea container or other similar structure on a property for a fixed period of time. Following the expiry of this approval period, the property owner is responsible for seeking the renewal of the temporary approval.

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6. The Council reserves the right to revoke any approval for the siting of a sea container or other similar structure on a property where it is compromising the amenity of an area or impacts on public safety.
7. The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the case.

### **Bond**

As part of the development approval of a shipping container, the Council may impose conditions that require any work considered necessary to improve the appearance of the structure, including painting, landscaping, adding a pitched roof and screening.

The approval of a shipping container will require the lodgment of a bond to the value of \$2,000 as a condition of approval. This bond can be in the form of a Bank Guarantee. This bond will be used to remove the shipping container in the event that the owner and/or occupier default on the conditions of this policy, or any conditions of approval.

The bond will be returned upon demonstrated compliance with all conditions of development approval, to the satisfaction of the Shire of Toodyay.

### **Reference Information**

State Planning Policy 7.3 Residential Design Codes Volume 1

### **Legislation**

*Planning and Development Act 2005 (WA)*

*Planning and Development Regulations 2009 (WA)*

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

*Shire of Toodyay Local Planning Scheme No. 4*

### **Associated documents**

LPP.13 - Outbuildings in Residential Areas Policy

### **Version control information**

<b>Version No.</b>	<b>Date Issued</b>	<b>Review position</b>	<b>Developed by</b>	<b>Approved by</b>
V1				Council
V2				

### **Document control information**

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