



POLICY STATEMENT

It is Council's objective to regulate the use of sea containers within the Shire of York so as to ensure that they do not detract from the amenity of the area.

Purpose

The purpose of this Policy is to outline Council's development standards in regards to the location and use of sea containers within the Shire.

The Policy does not address the placement of transportable dwellings, relocated dwellings, railway carriages, or transportable offices, or the type of building commonly referred to as "Dongas".

Interpretation

For the purpose of this Policy, a sea container is a metal transportable structure designed for the storage and transport of goods from one location to another by road and sea, but can be used generally in 3 different ways:

- a) Road and Sea Transport: Used by transport and shipping companies to transport and store goods or are temporarily used for storage on private or public property.
- b) Temporary storage of materials on a building site.
- c) Conversion to a building for personal or commercial storage on a property.

A sea container is not deemed to be an outbuilding or minor structure exempted from Planning Approval under Section 4.2 of Shire of York Town Planning Scheme No. 2.

All other terms within this Policy shall have the same meaning given under the provisions of the Shire of York Town Planning Scheme No. 2.

Application

An application is required for Council's Planning Consent prior to siting a sea container on a property (unless it is being used for temporary storage on a building site), and the following details shall be submitted:

- a) A completed Application for Planning Consent and payment of the minimum fee.
- b) A neatly drawn and scaled site plan showing the proposed location of the sea container and detailing setbacks to boundaries. The site plan shall also include other buildings, accessways, watercourses and vegetation on the property.

- c) The proposed size and use of the sea container and if approval is being sought for a temporary period (state time period) or on a permanent basis.
- d) Evidence by way of photos to show that the sea container will be adequately screened from view and shall not be easily seen from nearby roads, other public places, or adjoining properties.
- e) If a sea container can be easily seen from nearby roads, other public places, or adjoining properties, then details of any upgrading and/or colour to be painted shall be provided.

Assessment of Proposals

- a) **Road and Sea Transport.**
Council may approve the temporary storage of sea containers in all zones (not permitted in a designated heritage precinct or on properties listed on the Municipal Inventory, Category 1 and 2) subject to sea containers not being located within the front boundary setback area or in areas designated for car parking, landscaping, effluent control or stormwater control. How many sea containers permitted will be assessed on application.

Sea containers must be stored in neat rows (not stacked) and shall be screened by landscaping, fencing or other means acceptable to Council, to ensure that storage areas are not exposed to view from nearby roads or other public places.

- b) **Temporary storage of materials on a building site.**
In all zones, a sea container may be placed on a property to store building materials while construction of a house or commercial building is being carried out on the property, without requiring town planning approval or a building licence. A sea container must not be placed on the property prior to the issue of a building licence for the construction and must be removed immediately upon completion of construction or expiry of the building licence. (A letter stating intentions will suffice.)
- c) **Conversion to a building for personal or commercial storage on a property.**
An application to permanently place a sea container on a property shall not be supported unless the following is met:
 - a) The property is zoned either:
 - i) Industrial, Rural Residential, Rural Smallholding or General Agriculture; and
 - ii) is not located within a townsite boundary or abutting a Heritage Precinct or Place of Cultural Significance under Section 5.1 of Town Planning Scheme No. 2.

Advice Note: Approval may be issued for those properties appropriately zoned within the townsite boundary, however these will be assessed on the merits of each application.

- b) The sea container is not being used for habitable purposes.
- c) The sea container must be screened from view and shall not be easily seen from nearby roads, other public places, or adjoining properties;

and/or

- d) If the sea container will be easily seen from nearby roads, other public places, or adjoining properties, then the exterior of the sea container shall be in a state of good repair or shall be upgraded (i.e. painted to blend in with the surrounding development or landscape) within three (3) months of being placed on site.
- e) The sea container is not located within the front setback and is setback a minimum of three (3) metres from any side or rear boundary.
- f) A maximum of one (1) sea container per property shall be permitted.

Approval Conditions

Conditions of approval shall be applicable as deemed necessary by the Chief Executive Officer. Without limiting the generality of the foregoing, approvals are to contain the following conditions:

- a) The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of Council.
- b) The exterior of the sea container shall be upgraded to blend with the surrounding development or landscape in terms of colour and finish within three (3) months of being placed on site to the satisfaction of Council's Chief Executive Officer.
- c) The sea container is permitted to be used for (insert use) only and shall not be used for habitable purposes.
- d) This approval shall expire (insert date or insert "if the development hereby permitted is not completed within 3 months"). The sea container shall be removed from the subject site at the expiry of the approval or after the expiry of any extension of that time which, upon written application (made at least 21 days after the expiry of the approval) to Council, is granted by it in writing.

Advice to Applicant

A Building Licence is required prior to the placement of the sea container on site and shall include certification from a professional engineer as to the method of providing structural tie down, if it is to be used for or be for conversion to a building for personal or commercial storage on a property.

Ray Hooper
Chief Executive Officer