

SHIRE OF CHITTERING

TOWN PLANNING SCHEME NO. 6

**Local Planning Policy
No. 29**

SEA CONTAINERS

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LOCAL PLANNING POLICY No. 29
SEA CONTAINERS**

1. STATUTORY CONTEXT

The Shire of Chittering, as enabled under Part 2 of Town Planning Scheme (TPS) No. 6, hereby makes this Local Planning Policy (LPP) regarding Sea Containers throughout the Shire of Chittering.

Any LPP prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A LPP is not part of the Scheme and shall not bind the Local Government in any respect of any application for Planning Approval but the Local Government shall have due regard to the provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision.

This policy applies to all land zoned within the Shire of Chittering and supersedes that part of Local Planning Policy No. 7 Outbuildings, dealing with sea containers, given preliminary approval 28/09/2005.

2. DEFINITIONS

The following are definitions that relate directly to the application of this policy:

“Building Setback Area” means the area of any lot between the property boundary and the building setback line, measured at right angles (90 degrees) to the boundary (Residential Design Codes).

“Council” means the Council of the Shire of Chittering (Local Government Act 1995).

“Lot” has the same meaning as in the Town Planning and Development Act 1928, but does not include a strata or survey strata lot (TPS No. 6).

3. BACKGROUND

In recent years there has been increased use of sea containers within the Shire for storage. While these can serve a useful role in rural areas there have been concerns about aesthetics, particularly in more settled areas.

TPS No. 6 makes no direct reference to sea containers and Council regulates them under general development control powers covering amenity and protection of the natural environment.

This policy has been created to provide guidance for Council and land owners in the use and siting of sea containers.

4. OBJECTIVES

The objectives of this policy are:

To allow use of sea containers for shipping;

To discourage alternative use of containers, particularly where they might become permanent fixtures in the landscape ;

To maintain the rural character and landscape amenity of the Shire.

5. POLICY STATEMENT

5.1 Exemptions from Planning Consent Requirements

Planning consent is not required for:

- a) use of containers fully enclosed within a building; or
- b) loading or unloading of containers for shipping, provided that the container does not remain on the one lot for longer than seven days.

5.2 General Requirements for Sea Containers

Unless exempt from planning consent requirements as specified in 5.1 above:

- a) approval is required for use of all containers and applications are to be submitted to Council for determination;
- b) containers are not to be located in:
 - (i) building setback or exclusion areas, as specified in LPP No. 18 Setbacks;
 - (ii) firebreaks, as specified in LPP No. 21 Fire Management Plans; and
- c) containers are to be screened from view from public spaces and neighbouring properties;

5.3 Temporary Use of Sea Containers

Council may grant approval for temporary use of a container, up to 12 months, in the following circumstances:

- a) people are residing on the lot, with approved building plans, house slab constructed and approved sewage system connected;
- b) the requirements of 5.2 above are satisfied and the container is sited at the rear of the property, behind the dwelling under construction;
- c) at the end of the approved period the container is to be removed from the lot, unless granted an extension of time by the Council;
- d) sea containers are not permitted in Townsite zones.

5.4 Permanent Use of Sea Containers

- a) Permanent use of containers is permitted within the Agricultural Resource Zone, in accordance with 5.2 above;
- b) Permanent use of containers is not permitted within Townsite and Rural Residential Zones
- c) A sea container may require a building licence depending on modifications and how it is used.

ADOPTED FOR PRELIMINARY APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 15th day of March 2006.

ADOPTED FOR FINAL APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 15th day of November 2006.

and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

PRESIDENT.....

CHIEF EXECUTIVE OFFICER.....

Date.....