



G W Y D I R
SHIRE COUNCIL

Draft Policy Review
Use of Shipping Containers

Policy Number: T.01.02
Policy Section: Town Planning
Policy Title: Use of Shipping Containers

File Reference:

OBJECTIVES:

1. To maintain the amenity of the urban environment;
2. To maintain the character of residential and commercial streetscapes;
3. To define the use and discourage alternative use of containers;
4. To minimise the visual impact to adjacent residents and the general community;
5. To maintain the rural character and landscape amenity of the Shire;
6. To apply development controls through guidelines for the installation of container(s); and
7. To provide guidelines for the approval of shipping container(s) where applications comply with the provisions and/or intent of this policy.

POLICY STATEMENT:

Background

Shipping Containers (also known as ISO Containers and Sea Containers) have become available in increasing numbers on the second hand market.

Shipping Containers afford a cheap, secure method of storing items or goods and are becoming increasingly popular for this purpose. There has been an increased use of shipping containers within the Shire for storage and other uses.

While these can serve a useful role in rural areas there have been concerns about aesthetics, particularly in urban areas.

Shipping Containers are made in varying sizes, but are generally 2.4 metres wide square and range in length from 3 metres to 12 metres. The most common lengths are 6 metre (20 feet) or 12 metre (40 feet) versions.

EXEMPTIONS FROM PLANNING CONSENT REQUIREMENTS

Planning consent is not required for:

1. Inside a building

Use of containers fully enclosed within a building; or

2. Use as a building construction site shed

Use of shipping container(s) on any land with the Shire in conjunction with the carrying out of works, the construction or demolition of structures (with current development consent and/or a construction/subdivision certificate) is permissible under this policy for the duration of the work, construction or demolition; or

3. Approved businesses

This policy does not apply to storing of shipping containers (empty or full) in conjunction with the operation of a transport depot or related approved activity; or

4. Located in Rural Areas

Use of shipping containers in rural areas will be permitted if their use relates directly to, and is ancillary to, the predominant use of the property as approved by Council.

The container(s) shall be no longer than 12 metres (40 feet). No more than 7 containers on any one property and no more than 5 containers will be permitted side by side.

Shipping Container(s) may only be used for the purpose of storage. The container(s) shall be painted in a colour that is similar to or complementary to the colour of existing buildings on the property, or the surrounding landscape. Shipping Container(s) shall be set back a minimum of 200 metres from the front, side and rear boundaries or do not visually impact on the surrounding environment.

Shipping Container(s) are not to be located over utilities or septic tanks and/or disposal areas.

The container shall not be used for any commercial or industrial purpose.

General Requirements for Shipping Containers

Unless exempt from planning consent requirements as specified above approval is required for use of all shipping containers and a Development Application is to be submitted for Council for determination.

Temporary Use a of Shipping Container

Council may grant approval for temporary use of a (1) Shipping Container, for up to 12 months, in the following circumstances:

1. The premises are permanently occupied;
2. The shipping container is sited at the rear of the property, behind the dwelling;
3. The container shall be screened from view from the street, including secondary streets, lanes and other public areas;

4. The container shall be set back a minimum of 1 metre from the side and rear (not including adjoining a lane – see point 5 below) boundaries in urban areas and 10 metres in rural areas;
5. The container shall be set back a minimum of 6 metres from the centre line of the lane adjoining a boundary in urban areas and 15 metres in rural areas; and
6. 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.

Permanent Use of a Shipping Container(s)

Permanent use of a container(s) is permitted on all land subject to development consent and the following criteria (not withstanding those with exemptions).

1. General Conditions and Requirements

- a. A development application will be required to be submitted for assessment and approval is to be obtained prior to locating a shipping container(s) onsite or changing the use of a shipping container(s);
- b. Shipping containers are not permitted to be place on road reserve, verge, public reserve or any other public or Crown Land anywhere in the Shire unless Council gives its consent;
- c. This policy is based on shipping containers up to 12 metres in length for urban, residential, large lot residential, rural, industrial and waste disposal areas. Containers larger than this may need to satisfy additional requirements;
- d. Shipping containers shall be painted and in good condition prior to location upon any property;
- e. Shipping Containers shall be wholly located within the boundaries of any property that is the subject of an application for approval;
- f. An owner builders licence or licensed builder may also be required prior to the placement of a shipping container(s) onsite;
- g. Shipping containers shall be adequately tied down;
- h. The floor level of the shipping container/s be no greater than 200mm above natural surrounding ground level; and
- i. Shipping containers shall be maintained in good and orderly condition to the satisfaction of Council.

2. Urban/Village (allotments with an area of less than 1500m²) Specific Conditions and Requirements.

- a. The shipping container shall be suitably screened and/or fenced from the road frontage and other public areas and be situated at the rear of the property unless otherwise determined by Council;

- b. The shipping container will not be permitted in front of existing onsite buildings;
- c. The shipping container must satisfy the setback requirements in accordance with the National Building Code of Australia (NCC);
- d. The shipping container can not be located over septic tanks and/or disposal areas, drains, sewer or water mains or underground utilities;
- e. A maximum of one (1) shipping container will be considered per property. The container shall be a maximum of 12 metres (40 feet) in length;
- f. The shipping container shall only be used for storage purposes or converted to other uses such as an office. Owners must satisfy all requirements of the NCC;
- g. The shipping container shall not be used for any commercial or industrial purpose;
- h. The shipping container shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings on the property;
- i. A shipping container with an integrated refrigeration unit is not permitted; and
- j. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container may be required by Council.

3. Rural/Large Lot Residential & Large Village (allotments = & > 1500m²) Area Specific Conditions and Requirements.

- a. The shipping container(s) shall be suitably screened and/or fenced from the road frontage and other public areas and be situated at the rear of the property unless otherwise determined by Council;
- b. The shipping container will not be permitted in front of existing onsite buildings;
- c. The shipping container(s) must satisfy the setback requirements in accordance with the National Building Code of Australia (NCC);
- d. The shipping container can not be located over septic tanks and/or disposal areas, drains, sewer or water mains or underground utilities;
- e. A maximum of two (2) shipping containers will be considered per property. The shipping container(s) shall be a maximum of 12 metres (40 feet) in length;
- f. The shipping container(s) shall only be used for storage purposes or converted to other uses such as an office. Owners must satisfy all requirements of the NCC;

- g. The shipping container(s) shall not be used for any commercial or industrial purpose;
- h. The shipping container(s) shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings on the property;
- i. A shipping container(s) with an integrated refrigeration unit is not permitted; and
- j. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container(s) may be required by Council.

4. Commercial and Industrial Area Specific Conditions and Requirements.

- a. The shipping container(s) shall be suitably screened and/or fenced from the road frontage and other public areas and be situated at the rear of the property unless otherwise determined by Council;
- b. The shipping container(s) shall not be located within car parking areas;
- c. The shipping container(s) will not be permitted in front of existing onsite buildings;
- d. The shipping container(s) must satisfy the setback requirements in accordance with the National Building Code of Australia (NCC);
- e. The shipping container can not be located over septic tanks and/or disposal areas, drains, sewer or water mains or underground utilities;
- f. A maximum of three (3) shipping container will be considered per property. The shipping container(s) shall be a maximum of 12 metres (40 feet) in length;
- g. The shipping container(s) shall relate directly to, and be ancillary to, the predominant use of the property as approved by Council. Owners must satisfy all requirements of the NCC;
- h. The shipping container(s) shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings on the property;
- i. The shipping container(s) shall only be used for storage purposes;
- j. The shipping container(s) may not be used for the purpose of storing food products unless it is modified to comply with the Food Act 2003 and the Food (General) Regulation 2004;
- k. Refrigerator motors and other cooling devices must be modified to ensure that the noise emitted from the unit complies with the Protection of the Environment Operations Act 1997; and

- I. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container(s) may be required by Council.

5. Public Place Area Specific Conditions and Requirements.

- a. Placement of shipping container(s) on a road reserve/public place will only be considered for a maximum of 5 days and only if the placement of such container is not possible within the applicant's site;
- b. All shipping containers placed in a public place shall be marked so as to provide maximum safety to residents, pedestrians and other road users. Eg flashing yellow lights and/or yellow reflective tape;
- c. Any damage caused to the road reserve by the delivery or placement of the container will be borne by the applicant;
- d. The shipping container(s) must satisfy the setback requirements in accordance with the National Building Code of Australia (NCC);
- e. The shipping container can not be located over drains, sewer or water mains or underground utilities;
- f. A maximum of two (2) shipping containers will be considered per property. The shipping container(s) shall be a maximum of 12 metres (40 feet) in length;
- g. The shipping container(s) shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings on the property;
- h. A shipping container(s) with an integrated refrigeration unit is not permitted; and
- i. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container(s) may be required by Council.

6. Rural Area Specific Conditions and Requirements.

- a. The use of a shipping container(s) shall relate directly to, and be ancillary to, the predominant use of the property as approved by Council;
- b. The shipping container(s) are not to be located over septic tanks and/or disposal areas or utilities;
- c. The shipping container(s) must satisfy the setback requirements in accordance with the National Building Code of Australia (NCC);
- d. A maximum of 20 shipping containers will be considered per property. The shipping container(s) shall be a maximum of 12 metres (40 feet) in length;

- e. The shipping container(s) shall only be used for storage purposes or other uses as approved by Council;
- f. The shipping container(s) shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings on the property or the surrounding landscape;
- g. The shipping container(s) may not be used for the purpose of storing food products unless it is modified to comply with the Food Act 2003 and the Food (General) Regulation 2004;
- h. Refrigerator motors and other cooling devices must be modified to ensure that the noise emitted from the unit complies with the Protection of the Environment Operations Act 1997; and
- i. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container(s) may be required by Council.

7. Waste Disposal and Treatment Facilities Specific Conditions and Requirements.

- a. A maximum of three (3) shipping containers will be considered per site. The shipping container(s) shall be a maximum of 12 metres (40 feet) in length;
- b. The shipping container(s) shall only be used for storage purposes or converted to office or workshop use;
- c. The shipping container(s) shall be painted and/or re-clad in a colour that is similar or complementary to the colour of existing buildings in the area or the surrounding landscape;
- d. Shipping Container(s) shall be set back a minimum of 20m from the side and rear boundaries in rural areas;
- e. The shipping container(s) shall not be used for any commercial or industrial purpose; and
- f. Additional works or measures, other than those already mentioned, to address any amenity issues arising from the location of a shipping container(s) may be required by Council.

VARIATION TO POLICY

The Director Development and Environmental Services is able to vary this policy for the placement of shipping containers where, in their opinion, the proposal meets the objectives of the policy.

Each variation approved to this policy shall be reported to Council on a monthly basis.