# **SEA-CONTAINERS IN RESIDENTIAL AND RURAL ZONES**

**POLICY NUMBER: LPP4**

## STATUTORY BACKGROUND

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Kalgoorlie Local Planning Scheme No. 2 (‘the Scheme’). It may be cited as the *Sea Containers in Residential Areas Policy*.

## PURPOSE

To provide guidelines for the placement, use, size and construction of sea containers or other similar storage structures to maintain a high level of visual amenity in the surrounding area.

## POLICY OBJECTIVES

The objectives of this policy are:

1. To guide and control the use, location, and number of sea containers on private property throughout the City to ensure that an acceptable standard of development is achieved that does not unreasonably detract from the streetscape, or impact on the amenity of adjoining properties and the area generally; and
2. To establish criteria and a consistent approach for the assessment of outbuilding and sea container development applications.

## Relationship to other documents

This Local Planning Policy forms part of the City of Kalgoorlie (the City) local planning policy framework. Where this Policy is inconsistent with the City’s local planning scheme, the local planning scheme prevails. Where this Policy is inconsistent with an adopted Local Development Plan, Activity Centre Plan or Structure Plan, the adopted Local Development Plan, Activity Centre Plan or Structure Plan prevails. Where this Policy is inconsistent with the provisions of a specific Policy, Master Plan or Guidelines applying to a particular site or area, the provisions of that specific Policy, Master Plan or Guidelines shall prevail.

This Planning Policy is to align with the provisions of LPS2 – Clause 42 – Shipping Containers.

DEFINITIONS

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

*“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).*

## APPLICATION OF POLICY

* The location of sea containers and other similar structures within the City is regarded as development and will require planning approval. For the purposes of assessment and approval, the local government will classify a sea container or other similar relocatable storage units as ancillary and associated with the approved use of the land.
* Any sea container or other similar structure to be used for human habitation is to comply with Repurposed Dwellings Policy.
* No sea containers or other similar structures are permitted in “Residential” zoned land within the City without a planning approval.
* Where a proposal relates to a heritage-protected place, the standards and requirements of the City’s local planning polices relevant to heritage conservation shall prevail over any inconsistency.

## POLICY MEASURES

**General**

1. This Policy applies to the use of sea containers on private property throughout the City and is to be read in conjunction with Clause 42 of Loal Planning Scheme No 2 provisions, as set out below.

*A shipping container must be out of public view or constructed or upgraded and maintained to a standard that ensures the visual amenity of the area is not adversely impacted to the local government satisfaction.*

***Temporary Storage***

1. Sea containers will be permitted where used for temporary storage purposes in Residential, Rural, or rural townsite zones where:

* 1. located on-site for a maximum period of 14 days for the purpose of relocating personal goods to/from a property; and
  2. Limited to one sea-container maximum length of 6m (20 foot).

1. Sea containers will be permitted where used for the storage of building materials and equipment in connection with a building under construction, subject to:
2. The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site;
3. The building site has a current building permit and, when necessary, planning approval;
4. Construction works are actively being undertaken on the site and do not lapse for any period greater than 30 days;
5. Must be contained wholly within the property boundary of the subject lot;
6. The number of sea containers will be considered on the scale of construction, and surrounding site impacts;
7. Must not impact on pedestrian or vehicle movements in any way or obstruct pedestrian or bicycle pathways or vehicle sight lines;
8. The structure may not be permitted on the building site for a period longer than 6 months, unless specific approval from the City is obtained and screening details provided; and
9. The structure is removed from the building site within 14 days of completion of the building works or within 6 months from commencement, unless specific approval from the City is obtained.
10. Development approval is not required to be obtained for sea containers compliant with Clause 2 or 3.
11. In all other instances development approval is to be obtained and may be the subject of consultation with owners and/or occupiers of affected land.

**Design provisions**

1. In all cases the sea container will:
   1. Not result in a detrimental impact on the amenity of adjoining land or the area in general;
   2. Not compromise the approved development or use by
2. Impinging on any car parking bays required to satisfy the minimum car parking requirement for the approved development or use; or
3. Obstructing access; or
4. Obstructing a visual truncation provided to an accessway.
   1. Be in good repair and of a uniform colour to complement the building to which it is ancillary, or surrounding natural landscape features, and must not have any form of graffiti or advertising;
   2. Be setback from
5. side and rear boundaries a minimum of 1.0m
6. Front boundary a minimum of 2.0m; and
   1. Be appropriately screened (vegetation or otherwise) where considered necessary by the City.
7. Where used for habitable purposes, sea containers are required to comply with all relevant legislation and comply with provisions contained in LPP 5 – Repurposed Dwellings.

**Residential Zone - Development standards**

1. Development approval is required to be obtained where any variations to the requirements of Local Planning Scheme No. 2 or the deemed to comply requirements of the R-Codes is proposed and will be subject to consultation with owners and/or occupiers of affected land. Sea containers may be permitted having regard to the following provisions:
   1. Be limited in number to a site, as set out in the table below;

|  |  |  |
| --- | --- | --- |
| Zones | Sea container | Setback |
| Residential below R5 | 2 | * 7.5m from street * 3m from side and rear * Screening treatment to be provided |
| Residential R10 & above | 1 | * 6m from Street boundary |

* 1. Comply with all applicable R-Code requirements and provisions, including Part 5, Element 5.5.1- Ancillary Dwellings;
  2. The Condition to be free of rust or corrosion and clad or painted in a uniform colour to complement the surrounding built form and/or landscape to the satisfaction of the City;
  3. Shall be screened from adjoining sites and surrounding area generally, by landscaping or other approved manner;
  4. Applications to include written comments of surrounding landowners or will be subject to a 14-day advertising period;
  5. If the sea container or other similar structure falls into disrepair and/or becomes unsightly, the City will require its removal;
  6. May be subject to a time-limited approval; and
  7. May require details on stormwater management to ensure collected and discharged is retained on site and/or connection to an approved point of discharge.

**Non-residential - Development Standards for commercial storage**

1. Development proposals for the placement and use of a sea container for storage are to comply with the following development standards.
   1. Limits in number to a site, based on a 6 metre (20 foot) container, are set out in the table below;

|  |  |  |  |
| --- | --- | --- | --- |
| Zones | Lots size | Number | Setback |
| Rural | Below 4 ha | 2 | 7.5m from street boundary |
| Rural | Above 4 ha | 3 | 7.5 from Street boundary |
| Tourist | Any size | 0 | As per scheme setbacks |
| Mixed-Use | Below 1000 sqm  Above 1000sqm | 1  2 | As per scheme setbacks  Rear of the building and screened from the street |
| Commercial |  | 0 | As per scheme setbacks |
| Light Industrial |  | 2 | As per scheme setbacks |
| General Industrial | Below 1000 sqm  Above 1000sqm | 3  4 | As per scheme setbacks |

* 1. Where a development comprises more than one lot, consideration will be given to the cumulative impact, scale, location, and lot size;
  2. Be in good condition free of rust or corrosion and clad and/or painted with approved colours, materials, and finishes;
  3. Be located
     + at rear of the building and shall be screened from view from any public street.
     + compliant with setbacks under the Scheme;
  4. Shall be painted to match the colour of the buildings on the site;
  5. Shall not to be located over septic tanks, leach drains, utilities, or easements; and
  6. Shall be screened from view from any public street and buildings on the site.

1. If the sea container or other similar structure falls into disrepair and/or becomes unsightly, the City will require its removal.
2. Where a proposal involves sea-containers (hire or storage) as the primary function of the use / business, and is located within General Industrial Zone, consideration will be given to the nature of the use and location of the site, and Council may increase or remove limitations in this policy.

## Roads and Reserves

This policy does not apply to the placement of sea containers within local reserves or road reserves but shall be subject to the City’s Local Laws where applicable.