

### Introduction

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This Policy establishes the Shire’s position in relation to the use of sea containers as storage. It acknowledges that there is a place for sea containers, while providing guidance and control to mitigate their potential adverse impacts on local streetscapes and settings.

This Local Planning Policy has been adopted by the Shire of Capel in accordance with the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

### Purpose

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The objective of this policy is to regulate the use of sea containers for storage within the Shire of Capel to ensure that they:

- are located, screened and/or colour treated to appear visually integrated with the surrounding area; and
- do not result in an adverse impact on amenity or streetscape.

### Application

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This policy applies to all land zoned under Shire of Capel’s Local Planning Scheme 8 (LPS8).

For the purpose of this policy, a sea container is defined as:

*“A re-sealable metal transportable structure designed for the storage, unitized freight handling and/or transport of goods from one location to another by road and sea.”*

Prior to the commencement of development works, landowners and applicants are encouraged to discuss all development proposals with Shire’s Development Services Duty Planner to determine whether the terms and requirements of this policy apply.

### Policy Statement

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Table 1 below provides the criteria for of the suitability of sea containers within specific zones contained in Local Planning Scheme No.8.

**Table 1 –Criteria for Sea Containers**

<b>Zone</b>	<b>Requirements</b>
Residential (Coded R5 and above) Mixed Use Residential Commercial Service Commercial	1) No sea container(s) will be permitted, unless it is for a temporary nature consistent with LPP 6.3.

Private Community Purposes District Centre	2) Sea container(s) will be permitted in the listed non-residential zones where the sea container is temporary and incidental to construction works.
Residential R2.5	<ol style="list-style-type: none"> <li>1) Limited to one sea container;</li> <li>2) Located within the building envelope (if applies) or satisfying relevant setbacks specified in the Residential Design Codes;</li> <li>3) Located on a lot that contains an existing dwelling;</li> <li>4) Located behind the line of the rear wall to the main dwelling;</li> <li>5) Not being visible from the public realm (street, open space); and</li> <li>6) Being painted/constructed to a dark colour that is consistent with the landscape of the subject site, screened from neighbours by landscaping or cladding.</li> </ol> <p>Note: Landscape screening is to consist of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter.</p>
Rural Residential	<ol style="list-style-type: none"> <li>1) Limited to one sea container;</li> <li>2) Located within the building envelope;</li> <li>3) Located behind the line of the rear wall to the dwelling;</li> <li>4) Not being visible from the public realm (street, open space); and</li> <li>5) Being painted/constructed to a dark colour that is consistent with the landscape of the subject site, screened from neighbours by landscaping or cladding.</li> </ol> <p>Note: Landscape screening is to consist of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter.</p>
Urban Development	<ol style="list-style-type: none"> <li>1) No sea container(s) will be permitted on land less than 2000m<sup>2</sup> or subject to the Dalyellup East and Dalyellup Beach Structure Plan areas.</li> <li>2) Sea containers may be considered on lots 2000m<sup>2</sup> and above where it: <ol style="list-style-type: none"> <li>a) Limited to one sea container;</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>b) Where there is a dwelling on the property;</li> <li>c) Located behind the line of the rear wall to the dwelling;</li> <li>d) Not being visible from the public realm (street, open space);</li> <li>e) Being painted/constructed to a dark colour that is consistent with the landscape of the subject site, screened from neighbours by landscaping or cladding; and</li> <li>f) Will not prejudice future development in accordance with an approved structure plan.</li> </ul> <p>Note: Landscape screening is to consist of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter.</p>
General Industry/Light Industry	<ul style="list-style-type: none"> <li>1) Sea containers not being located forward of an existing building line;</li> <li>2) Sea containers must be setback in accordance with required setbacks;</li> <li>3) Sea containers are stacked no more than two sea containers high;</li> <li>4) Sea containers are not located above or on top of drainage areas, septic tanks, or vehicle access ways; and</li> <li>5) Sea containers visible from the public realm (street) shall be of a good condition and painted to be consistent with the colour of existing buildings/structures.</li> </ul>
Priority Agriculture/Rural	<p>Lots 3ha and below</p> <ul style="list-style-type: none"> <li>a) Limited to one sea container on the subject site;</li> <li>b) Complies with setback requirements in accordance with Schedule 4 of LPS8;</li> <li>c) Subject site contains a dwelling, and the sea container is located behind the line of the rear wall to the dwelling;</li> <li>d) Not being visible from the public realm; (street, open space);</li> <li>e) Being painted/constructed to a dark colour that is consistent with the landscape of the subject site, screened from neighbours by landscaping or cladding.</li> </ul> <p>Note: Landscape screening is to consist of native vegetation that comprises a range of sizes</p>

	<p>(including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter.</p> <p>Lots above 3ha</p> <ul style="list-style-type: none"> <li>a) Complies with setback requirements;</li> <li>b) Screened from the public realm; (street, open space);</li> <li>c) Being painted/constructed to a dark colour that is consistent with the landscape of the subject site.</li> </ul>
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Notwithstanding Table 1 above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity, or has the potential to visually impact, detract from the exterior design or appearance of other buildings, or sightlines in the vicinity, the application will be refused.

## Procedure

Development approval will be required in all circumstances, unless the proposal satisfies the exemptions listed in Local Planning Policy 6.3 – Exemptions for Minor Development.

Before carrying out any development, any other licences, permits, or approvals required must be obtained in accordance with any other law.

Department:	Development Services	Next review:	
Reviewer:		Legislation:	Local Government Act 1995 Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
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Amended:		Risk:	
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