



Shipping and / or Sea Container Policy

Responsible Officer	Chief Executive Officer
Relevant Delegations	Manager Development & Community Services
Legislation and References	Local Government Act 1999. Development Act 1993

1 Introduction

For the purpose of this policy a shipping container shall also include a re-locatable 'box type' storage container or unit, a shipping container that has been modified for the purpose of human habitation is not addressed in this policy and further may be subject to detailed consideration by Council based on merit.

2. Background

Shipping containers have become more readily available in recent years due to increasing numbers of second hand containers from transport companies. These containers offer a cheap, secure method of storage and are becoming increasingly popular amongst applicants for this purpose.

The Clare & Gilbert Valleys Council Development Plan currently makes no direct reference to the use or assessment of shipping containers. This has created a level of uncertainty in the community regarding the process and requirements of obtaining Development Approval for these containers.

In addition to this, Council is experiencing increased numbers of enforcement issues relating to the unauthorised placing of these containers and the lack of a specific set of guidelines to enforce this with.

This policy has therefore been created to provide development guidelines for Council and landowners in the appropriate use and siting of shipping containers.

3. Objectives

This policy is intended to:

- a) Ensure that the siting of shipping containers is not in a visually exposed site and does not detract significantly from the amenity of the locality in which it is situated as determined by the *Local Government Act 1999*

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- b) Ensure that the design and appearance of shipping containers have regard to the nature and possible impacts on adjoining land uses or land uses which may be established in adjoining zones.
- c) Establish guidelines for the assessment of applications for Development Approval to establish shipping containers within the Council area.
- d) Set acceptable standards for an applicant to obtain Council Approval to establish a shipping container on a particular property.
- e) Set guidelines which help to preserve the visual amenity of the Clare & Gilbert Valleys Council area by minimising where possible the visual impact of shipping containers.

4. Lodgement

A planning application will be required to be submitted for assessment and approval is to be obtained prior to locating a shipping container on site or changing the use of a shipping container. Such an application will need to supply the following information;

- a completed and signed planning application form and payment of application fee;
- a signed Electricity declaration form as required under the Development Regulations 2008
- a site plan showing the proposed location of the development in relation to boundary setbacks, natural features, existing development, septic system and adjoining buildings, to a scale of no less than 1:100;
- a written submission detailing the use, condition, unit dimensions and visual amenity associated with the shipping container;
- any elevation drawings and/or photographs illustrating the presentation and appearance of a shipping container in good repair and in uniform colour with no visible rust marks.
- the placement of a shipping container, or similar, shown on a scaled site plan located behind an existing building and/or screen vegetation to minimize the visual impact from a road and adjoining properties.

5. Fees

Lodgement fee similar to the fee required for development applications with a development cost of less than \$5,000 as determined by State Government.

Application fee similar to the fee required to development applications with a development cost up to \$10,000 as determined by State Government

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Building fee similar to the minimum fee required for building work as determined by State Government

In cases where Public notification or agency referral is required, Council's relevant fee structure is applicable.

6. Design Guidelines

For the purposes of assessing a shipping container on its merits, the following design guidelines are identified:

- Container to be in good condition prior to location upon any property and painted within 3 months of approval
- the container shall be located in accordance with the relevant zone setbacks as identified in the Development Plan
- the shipping container is to be located so as not to be highly visible from the street. The container shall be painted to match or at the very least complement the other buildings on the subject allotment.
- The container shall not be located over septic tanks, drains, infrastructure or on Council road reserves.
- Council may request the re-cladding or attachment of appropriate aesthetically pleasing sheeting if it is deemed appropriate
- The container generally not exceeding 6.0m in length, 2.4m in width, and 2.6m in height in Residential or Township Zones. A case by case approach will be applied for other zones.
- The container must meet all relevant criteria of the corresponding zone provisions
- A container will not be permitted within the front setback area
- The container must abide by the same SA Power Networks guidelines as any other form of development.

Should there be any conflict between this Policy and the Clare & Gilbert Valleys Development Plan, the Development plan shall prevail.

As shown on the next page is an example from the Watervale Oval precinct of a shipping container which has been cladded and roofed to improve its appearance. This is a good example of what to do when considering a shipping container for storage purposes.

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Shown below is an example of what not to do and would require significant improvements and repositioning in order to be acceptable.



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7. Principles & Policy

General

Shipping containers are to be for storage purposes only. The containers shall not be used for human habitation purposes.

Shipping containers are not permitted to be used for or in conjunction with advertising signs, unless the advertising is in association with the ancillary land use and the advertising is seen to have a positive effect on the visual impact of the container. In this case approval from Council for the advertising must be sought.

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

Any application for a shipping container in a zone not listed below will be assessed on merit against the design principles of this Policy and the relevant principle in the Clare & Gilbert Valleys Development Plan.

Residential

In general, Development Approval for the installation of shipping containers in areas zoned as Residential or Township in the Clare & Gilbert Valleys Development Plan will only be granted for a maximum period of 12 months where:

- the structure is being used for the temporary storage of plant, machinery and or building equipment on a building site
- a development approval has been issued for the construction of a building on the property and remains valid
- the construction of a dwelling or dwelling additions has commenced

The establishment of shipping containers in Residential and Township zones may be supported in some cases if it is demonstrated that the container:

- will not detract from the amenity of neighbouring properties; and
- is screened from any road adjoining the subject property; and
- is treated to match the colour of the dwelling with which it is associated; and

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- will have no impact on effluent disposal; and
- will not have an adverse impact on stormwater flow; and
- is not positioned in a front setback area to the street; and
- a maximum of one shipping container per property

Industry and Primary Production

The establishment of shipping containers in areas zoned as Primary Production or Industry zone is generally supported provided that the container complies with the following criteria:

- the container is not located in a visually prominent location.
- the container is screened so it is not visible from any road adjoining the subject allotment; and
- is treated in a colour scheme complementary to existing buildings; and
- the container is setback 10m or more from any boundary

7. Public Notification

Council may require the consent of adjoining neighbours if it is considered that the shipping container may have an impact on the amenity of adjoining properties.

8. Building Rules requirements

In addition to gaining planning consent, applications for the placement of shipping containers must also be granted Building Rules Consent by Council's Building Surveyor. To meet these requirements the container should be sited on a compacted level surface or on adequate bearers under the structural corners.

All containers sited above the natural surface of the ground in excess of 200mm will require tie downs anchored to engineer's specifications. It is expected that all development involving shipping containers is able to meet any requirements identified by the Building Code of Australia.

9. Enforcement

The placement of any shipping container not in accordance with this policy may result in enforcement action being undertaken by Council, that could involve removal and impoundment of the shipping container at cost to the land owner.

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Should the container fall into disrepair, or become unsightly, the Council may direct it to be upgraded or removed.

10. Delegation

In terms of this Policy any Council Officer with delegated authority to approve development has delegated authority to approve a shipping container on behalf of Council.

11 Review & Availability

This policy will be reviewed every four years, or as required.

The public may inspect a copy of this policy without charge at the Council offices during office hours and may obtain a copy for a fee fixed by Council

The policy is also available on Council’s website www.claregilbertvalleys.sa.gov.au

12. References

Local Government Act 1999

Development Act 1993

13. Document History

Approved by	Issue Date	Minute Reference – Details of Review
CGVC	15/02/16	Adopted by Council MB76-16
CGVC	20/08/18	Reviewed by Council
CGVC		

SIGNED:

CEO

Date: ____/____/____

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