



GEORGE TOWN COUNCIL PLANNING SCHEME (1991) TOWN PLANNING STRATEGY NO.1 SEA CONTAINERS

Adopted	28 th April 2010	Minute Ref: 85/10
Amended		
Next Review Date	As required	

1. Objective

It is Council's objective to regulate the use of sea containers within the George Town Council municipal area so as to ensure that they do not detract from the amenity of the area.

2. Purpose

The George Town Planning Scheme (1991) makes no direct reference to sea containers and the Council currently regulates their placement and use under general development control powers relating to the protection of amenity and preservation of the natural environment.

The purpose of this Strategy is to outline Council's development standards in relation to the placement and use of sea containers on land within the municipality, to give potential developers greater guidance in this regard.

3. Interpretation

For the purpose of this Strategy, the following definitions shall apply:

Sea Container: *"A metal transportable structure designed for the storage and transport of goods from one location to another by road and sea."*

Designated Port Facility: *"A commercial shipping facility that regularly receives and handles sea containers for transport via road and sea. This definition includes wharf structures, hardstand loading areas, and other land used for the direct loading of sea containers onto ships. This definition excludes any other land owned by a port operator that is not directly used for the purposes described above."*

All other terms within this Strategy shall have the same meaning given under the provisions of the George Town Planning Scheme (1991).

The use of sea containers may be generally divided into the following four (4) categories:

- 1) Use for temporary storage of materials on an active development site:**
Used solely for the temporary storage of materials, tools and equipment on a site during active development (i.e. construction, demolition, or other building works).
- 2) Use for road and sea transport and associated temporary storage:**
Used by transport and shipping companies for logistic transportation and storage of goods, as well as temporary use as storage containers on private or public property.
- 3) Use for permanent personal or commercial storage on a property:**
The permanent conversion of a Sea Container to a building for personal or commercial storage of goods on a property.



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4) Use for conversion to a building for habitation on a property:

Conversion to a habitable building complying with *Building Code of Australia* and *Building Act* (2000) requirements.

4. Exemptions

The Strategy does not apply in the following circumstances:

- a) **Other relocatable buildings:** The Strategy does **not** address the placement of re-locatable buildings other than sea containers, such as:
- relocated dwellings;
 - pre-fabricated dwellings;
 - transportable dwellings/offices/classrooms; or
 - railway carriages.
- b) **Use for temporary storage of materials on active development sites:** The Strategy does not address the temporary use of sea containers for storage on active development sites.

In all zones, a sea container may be placed on a property to temporarily store building materials, tools and equipment while construction of a house or commercial building is being carried out on the property, without requiring town planning approval or a building permit for the sea container.

- A sea container must not be placed on the property prior to the issue of a building permit for the site and must be removed immediately upon completion of construction or expiry of the building permit.
- To satisfy this exemption, a sea container must be located wholly within the boundaries of the active development site, and must **not** encroach onto any other land (such as a road reserve) that is adjacent to, or servicing, the development site.

- c) **Use in Designated Port Facilities:** The Strategy does **not** apply to sea containers temporarily located within the boundaries of land permanently used as a 'Designated Port Facility'.

NOTE: A sea container is **NOT** deemed to be an outbuilding or minor structure and is **NOT** exempted from requiring a planning permit to be obtained from the Council other than as provided by Town Planning Strategy Number 1.

The placement of a sea container on either a **Council Road Reserve** or **Crown Land** for any purpose will **NOT** be exempted from requiring Planning Approval from the Council under the George Town Planning Scheme (1991).

5. Application



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Prior to siting a sea container on a property, a Planning Permit must be obtained from the Council in relation to the proposed development. An application must therefore be submitted to the Council, along with the following details:

- a) A completed Application for Planning Consent and payment of the appropriate fees for 'discretionary' development; **AND**
- b) A neatly drawn scaled and dimensioned site plan, showing the proposed location of the sea container, and detailing setbacks to boundaries. The site plan shall also detail the location of all existing buildings, access-ways, watercourses and vegetation on the property; **AND**
- c) The following details shall also be provided in relation to the sea container:
 - i. dimensions;
 - ii. proposed use (e.g. dwelling, industrial storage, etc.); and
 - iii. whether approval is being sought for the structure to be sited on the land for a temporary period (state time period), or on a permanent basis; **AND**
- d) Evidence, such as photographs or detailed landscaping plans, to demonstrate that the sea container will be adequately screened from view and shall not be easily seen from adjoining properties, nearby roads, or other public places; **AND**
- e) If a sea container will be easily viewed from other land, provide details of any painting, upgrading, architectural embellishments, landscaping and/or, screening works to be carried out that will reduce the visual impact of the structure.

6. Assessment of Proposals

a) Use for Road and sea transport and associated temporary storage:

The Council may approve the use of a sea container for temporary storage on land (other than Designated Port Facilities) for a period of up to one (1) month immediately prior to, or following, their use for logistical transportation. Such an approval can be sought in all zones, subject to the container being appropriately sited. An application for the temporary siting of a sea container shall **not** be supported, unless the following criteria are met:

- 1) The sea container shall not be located:
 - i) forward of the dwelling or primary building, or within a distance of four and a half (4.5) metres from the front boundary (primary frontage) or three (3) metres from the side or rear boundaries except where otherwise specified by Schedule 4 of the Municipality of George Town Planning Scheme 1991 ;
 - ii) over designated easements;
 - iii) over septic tanks or waste water transpiration trenches; or
 - iv) in areas designated for car parking or landscaping; **AND**



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- 2) The sea container shall be screened by landscaping, fencing or other means acceptable to Council, to ensure that temporary storage areas do not unreasonably reduce the visual outlook from adjoining properties, nearby roads, or other public places; **AND**
- 3) If multiple sea containers are to be sited, they must be stored in neat rows (not stacked vertically).

NOTE: Due to the temporary nature of this type of use, Planning Permits issued under this category will **not** be renewable or extendable.

b) Use for permanent conversion to a building for personal or commercial storage on a property:

An application to permanently place a sea container on a property for the purposes of personal or commercial storage shall **not** be supported, unless the following criteria are met:

- 1) The land upon which the sea container is to be sited is zoned under Part 5 of Town Planning Scheme (1991) as either:
 - i) Closed Residential Zone; or
 - ii) Urban Residential Zone; or
 - iii) Reserved Residential Zone; or
 - iv) Low Density Residential Zone; or
 - v) Village Zone; or
 - vi) Business Zone; or
 - vii) General Industrial Zone; or
 - viii) Heavy Industrial Zone; or
 - ix) Bell Bay Major Industrial Zone; or
 - x) Agricultural Zone; or
 - xi) Maritime Zone; or
 - xii) Utility Services Zone; or
 - xiii) Special Use Zone; **AND**
- 2) The use of the sea container for personal or commercial storage shall relate directly to, and be ancillary to, the predominant use of the property as approved by the Council; **AND**
- 3) The sea container shall not to be used for habitable purposes; **AND**
- 4) The sea container shall not to be located forward of the dwelling or primary building on the subject land, or within a distance of four and a half (4.5) metres from the front boundary (primary frontage) or three (3) metres from the side or rear boundaries except where otherwise specified by Schedule 4 of the Municipality of George Town Planning Scheme 1991; **AND**
- 5) The sea container shall be sited so that it is screened from view from surrounding land, to ensure it does not detract from the outlook from adjoining properties, nearby roads, or other public places; **AND**



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- 6) If the sea container is visible from adjoining properties, nearby roads, or other public places, then the exterior of the sea container shall be painted, upgraded and/or, screened from view (by vegetation or fixed screening structures) within one (1) month of being placed on the site.

c) Use for conversion to a building for habitation on a property:

An application to place a sea container on a property for the purpose of either permanent or temporary human habitation shall **not** be supported, unless the following criteria are met:

- 1) The land upon which the sea container is to be sited is zoned under Part 5 of Town Planning Scheme (1991) as either:
 - i) Closed Residential Zone; or
 - ii) Urban Residential Zone; or
 - iii) Reserved Residential Zone; or
 - iv) Low Density Residential Zone; or
 - v) Village Zone; or
 - vi) Agricultural Zone; **AND**
- 2) The sea container shall not to be located forward of the primary building on the subject land, or within a distance of four and a half (4.5) metres from the front boundary (primary frontage) or three (3) metres from the side or rear boundaries except where otherwise specified by Schedule 4 of the Municipality of George Town Planning Scheme 1991; **AND**
- 3) The sea container is modified to include a personal access door, which is openable from the inside at all times; **AND**
- 4) The exterior of the sea container shall be in a state of good repair and shall include such architectural embellishments as are deemed necessary (e.g. the addition of a pitched roof or verandah); **AND**
- 5) Any footings supporting a sea container shall be appropriately concealed from view; **AND**
- 7) It is demonstrated that the modified sea container structure is able to comply with the requirements of the *Building Code of Australia* and the *Building Act (2000)*; **AND**
- 8) The sea container shall be sited so that it is screened from view from surrounding land, to ensure it does not detract from the outlook from adjoining properties, nearby roads, or other public places; **AND**
- 9) If the sea container is visible from adjoining properties, nearby roads, or other public places, then the exterior of the sea container shall be painted, upgraded and/or, screened from view (by vegetation or fixed screening structures) within one (1) month of being placed on the site.

NOTE: The number of sea containers permitted to be located on an individual site shall be left to the discretion of the Town Planner, with applicants reserving a Right of Appeal to the Council in this regard.



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7. Approval Conditions and Advices

Conditions of approval shall be applicable as deemed necessary by the Town Planner. Without limiting the generality of the foregoing, the majority of approvals are to contain the following conditions and advices:

Conditions:

- a) The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of Council.
- b) Any painting, upgrading, architectural embellishments, landscaping and/or, screening works required to be carried out to reduce the visual impact of the structure must be completed within one (1) month of the sea container being placed on site, and shall thereafter be maintained in good and orderly condition, to the satisfaction of the Council's Town Planner.
- c) The sea container is permitted to be used for (insert use) only and shall not be used for habitable purposes unless approved.
- d) This approval shall expire (insert date, or insert "if the development hereby permitted is not completed within one (1) month" – whichever is applicable). The sea container shall be removed from the subject site at the expiry of the approval, or any extensions thereof.

NOTE: Written applications for extension of time must be made to the Council at least 21 days prior to the expiry of the original approval.

Advices:

- a) A Building Permit is required prior to the placement of a sea container on a property. The proposed method of structural tie down shall be certified by a professional engineer and details of this certification shall be included with the application for a Building Permit.
- b) The Council reserves the right to instruct a landowner to remove a sea container from land within the municipality if any or all of the above conditions are not carried out or maintained to the satisfaction of the Council's Town Planner.