

COUNCIL POLICY

**Policy name**

Use and Placement of Shipping Containers in Gunnedah Shire

Abstract

To ensure the appropriate regulation and placement of Shipping Containers.

Dates

Policy or amendment approved	15 Nov 2023
Policy or amendment takes effect	15 Dec 2023
Policy is due for review (up to 4 years)	15 Nov 2027

Endorsed by

Council

Approved by

Gunnedah Shire Council at its Ordinary Meeting held on 15 Nov 2023
Resolution number: 11.11/23

Policy Custodian

Director Planning and Environmental Services

Relevant to

Council Staff and Members of the Community

Superseded Policies

Use and Placement of Shipping Containers in Gunnedah Shire Council adopted 19 May 2010, Resolution 264.1

Related documents

Nil

Related legislation

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2021
State Environmental Planning Policy (Exempt and Complying Development Codes) 20008
Gunnedah Local Environmental Plan 2012
Gunnedah Development Control Plan

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1. Purpose

- 1.1 In recent years there has been an increased use of and public enquiries relating to storage containers (Shipping Container) within the Gunnedah Local Government Area. While storage containers are generally utilised for temporary storage, there are genuine concerns in regards to their visual impact, particularly in residential and open space areas.

The Gunnedah Local Environment Plan 2012 (LEP) does not specifically define storage containers. However, a Development Application may be required for the installation of a storage container.

2. Scope

- 2.1 This policy has been established to provide guidance for Council and land owners in the use and siting of such containers and to ensure the regulation of these activities under the *Environmental Planning and Assessment Act 1979*.

3. Definitions

Approved Materials items associated with an approved land use or land use which may be undertaken without development consent.

Council means Gunnedah Shire Council

EPA Reg Environmental Planning and Assessment Regulation 2021

Development Application means a formal request for consent to carry out development under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Development Consent means approval by a local government council, certifying authority or any other consent authority granted for a Development Application or Complying Development Certificate under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Gunnedah LEP Gunnedah Local Environmental Plan 2012

LGA means Local Government Area or boundaries of a particular Council shire.

Shire means Gunnedah Shire Council LGA

Zone means a land use listed within the Land Use Table of the Gunnedah LEP

4. Policy principles

Shipping Containers provide a low cost, 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 purposes and it is considered necessary to regulate this to ensure the use and placement of shipping containers is controlled.

- 4.1 To ensure adequate amenity and streetscape protection when the placement of shipping and/or storage containers are approved.
- 4.2 To maintain the amenity of the urban environment.
- 4.3 To maintain the character of streetscapes.
- 4.4 To minimise the visual impact to adjacent residents and the general community.
- 4.5 To apply development controls through guidelines for the placement of containers.
- 4.6 To provide guidelines for the approval of shipping and/or storage containers within certain zones.

5. Policy statement

5.1 General Guidelines

The installation of no more than two storage containers in the RU1 Primary Production, RU4 Primary Production Small Lots, E4 General Industrial, e5 Heavy Industrial, RE1 Public Recreation and SP2 Infrastructure zones are considered by this Council policy as not requiring development consent, if the container is associated within an existing approved land use. In the SP2 Infrastructure and RE1 Public Recreation zone this is directed towards infrastructure or public depot land uses, not public halls, buildings, sporting grounds or churches.

A Development Application is required to be submitted for approval prior to the installation of any shipping and/or storage container in any other prescribed zones under the Gunnedah LEP. However, in most urban zones, Council has significant visual amenity concerns; subsequently Development Applications are unlikely to be supported. The placement of shipping containers on properties listed in Schedule 5 Part 1 Environmental Heritage of the Gunnedah LEP, regardless of the zoning, is prohibited.

The Development Application should be submitted with the necessary information required by Section 24 of the EPA Reg including, but not being limited to: Site Plan showing dimensions of the property and structure, measurements from boundaries and other structures and a structural plan for the slab/foundations and tie-downs for the container and position and species of any landscaping barriers. A statement of

environmental effects (SoEE) and photos of the proposed storage container are also required to be submitted with the Development Application.

5.2 Rural, Industrial and Special Use Zone Conditions and Requirements

- 5.2.1 The container may only be used for the purpose of storage of approved materials in rural/industrial areas only.
- 5.2.2 The container must be suitably screened and/or fenced from any road frontage or adjoining residential development, excluding any point of access into a container, and be situated at the rear of the property unless otherwise determined by Council.
- 5.2.3 A container will not be permitted within the front setback area.
- 5.2.4 The container is to be painted and maintained in good condition at all times and is to be suitably screened from public view and roads.
- 5.2.5 The use of containers shall only relate directly to, and be ancillary to, the predominant use of the property as approved by Council.
- 5.2.6 Containers are not to be located over septic tanks and/or leach drains or utilities.
- 5.2.7 A maximum of two (2) containers will be permitted per property, without consent. Any additional containers require development consent from Council.
- 5.2.8 Additional works or measures other than those already mentioned to properly address any amenity issues arising from the location of a storage container may be required by Council.
- 5.2.9 The container is required to be structurally sufficient. This can be achieved by anchoring (including the provision of tie-downs in accordance with Council requirements and the relevant Australian Standard) the container to a concrete slab or foundations capable of supporting the combined weight of the container and contents. You may be required to provide a copy of a structural engineer's design certificate. This is to ensure the container remains fixed during high wind or water events to maintain public safety.

5.3 Notes

- 5.3.1 This policy does not apply to the 'Temporary Use' of a container for the storage of materials and equipment, 'Temporary Use' being defined as a period of time not exceeding 28 days.
- 5.3.2 This policy does not apply to the storing of shipping containers (empty or full) in conjunction with the operation of a transport depot or storage related activity in which development consent has been obtained.
- 5.3.3 This policy does not apply retrospectively to existing storage containers.

5.4 SHIPPING AND STORAGE CONTAINERS REQUIREMENTS IN ZONES UNDER THE GUNNEDAH LOCAL ENVIRONMENTAL PLAN 2012:

- RU1 Primary Production
Permissible subject to compliance with conditions and requirements detailed above.
- RU3 Forestry
Requires Development Consent
- RU4 Primary Production Small Lots
Permissible subject to compliance with conditions and requirements detailed above.
- RU5 Village
Requires Development Consent
- RU6 Transition
Requires Development Consent
- R2 Low Density Residential
Requires Development Consent
- R3 Medium Density Residential
Requires Development Consent
- R5 Large Lot Residential
Requires Development Consent
- E1 Local Centre
Requires Development Consent
- E3 Productivity Support
Requires Development Consent
- E4 General Industrial
Permissible subject to compliance with conditions and requirements detailed above.
- E5 Heavy Industrial
Permissible subject to compliance with conditions and requirements detailed above.
- MU1 Mixed Use
Requires Development Consent
- SP1 Special Activities
Requires Development Consent
- SP2 Infrastructure
Requires Development Consent

- RE1 Public Recreation
Permissible subject to compliance with conditions and requirements detailed above.
- RE2 Private Recreation
Requires Development Consent
- C1 National Parks and Nature Reserves
Requires Development Consent
- C3 Environmental Management
Requires Development Consent

6. Accountability, roles and responsibilities

6.1 Policy Custodian

Director Planning and Environmental Services

6.2 Responsible Officer

Manager Development Assessment

7. Acknowledgements

7.1 Nil

8. Version control and change history

Date	Version	Approved by & resolution no.	Amendment
May 2010	1.0	Council Meeting 19 May 2010. Resolution 264.1	Original Version
December 2023	2.0	Council Resolution No. 11.11/23, 15 November 2023	Placed on Public Exhibition 16 Nov 2023 to 14 Dec 2023