

COUNCIL POLICY –LOCAL PLANNING AND BUILDING CONTROL

INITIAL ADOPTION/ADVERTISING – 21 May 2014

FINAL ADOPTION – 17 July 2014

Policy Number: 1 of LPS 3

Policy Subject: **Outbuildings & Seatiners in Residential Areas**

Objectives: To control the size and height of outbuildings in residential areas.

To ensure that the construction of an outbuilding does not detract from the general aesthetics of the residential area.

To control the use and placement of sea containers, or other similar structures in the townsites of the Shire of Bruce Rock such that an acceptable standard of development is achieved and that the structure does not adversely affect the amenity of the area

Guidelines: Applications not meeting the above criteria and/or of a contentious nature to be referred to Council for determination.

Where an application is to be referred to Council for consideration, comments from adjoining and/or affected owners are to be obtained and confirmed in writing.

Policy:

Outbuildings that satisfy the following development criteria may be approved by the Building Surveyor without referral to the Council of the Shire of Bruce Rock.

Outbuildings that:

- a) Comply with the Building Code of Australia (as amended);
- b) Are constructed of new materials. Where second hand materials are proposed, the Building Surveyor may require a certification from a practising structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also

require the cladding of the proposed second hand outbuilding to be painted in an approved colour or renewed.

- c) Are not attached to a dwelling;
- d) Are not habitable;
- e) Are not within the primary street setback area;
- f) Do not reduce the amount of open space required by the Residential Design Codes to less than the prescribed amount;
- g) Are setback in accordance with the requirements of the Residential Design Codes;
- h) Are of size, or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in the table below –

LOT AREA (m ²)	MAXIMUM SINGLE OUTBUILDING (m ²)	TOTAL OUTBUILDINGS (m ²)	MAXIMUM WALL HEIGHT	MAXIMUM RIDGE HEIGHT
500 – 749	46	62	2.4	3.6
750 – 999	73	97	3.0	3.6
1000 – 1249	94	125	3.0	3.6
1250 – 1699	117	156	3.0	3.9
1700 – 2049	130	202	3.0	3.9
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5

SEA CONTAINERS

1. All sea containers and other similar structures proposed to be located within the townsites of the Shire of Bruce Rock require the planning consent and a building license from Council prior to their

placement on land. Sea containers may only be placed in the area behind the dwelling. Sea Containers cannot be placed adjacent to the dwelling or behind the front of the dwelling

2. Sea containers and other similar structures used for temporary storage during the conduct of building works will be exempt from these requirements, provided that the following criteria are achieved:

- a) The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site;
- b) The building site has a current planning approval and/or building licence;
- c) Construction works are actively being undertaken on the site and do not lapse for any period greater than 30 days;
- d) The structure does not impact on pedestrian or vehicle movements in any way or obstruct vehicle sight lines;
- e) The structure may not be permitted on the building site for a period longer than 6 months, unless the special approval of Council is obtained; and
- f) The structure is removed from the building site at the completion of the building works.

3. The Shire of Bruce Rock will only permit one x 20 foot (12.5m) x 2.4m width x 2.4m height sea container per residential property. The sea container must be in good painted condition (within last two years) with operational locking systems and free from rust; be secured to the ground by footings of 600mm x 600mm using a rated chain and lock system; have a colour scheme similar to that of the dwelling; and be removed once the current owner/tenant vacates the property.

4. In determining applications for the placement of sea containers, Council shall have regard to the following designation of use symbols and prohibitions for certain zones and Reserve land in town-sites of the Shire of Bruce Rock, made in accordance with Shire of Bruce Rock Local Planning Scheme No. 3 –

<i>Residential zone</i>	<i>“D”</i>
<i>Commercial zone</i>	<i>“P”</i>
<i>Light Industry zone</i>	<i>“P”</i>
<i>General Industry zone</i>	<i>“P”</i>
<i>Town-site zone</i>	<i>“D”</i>
<i>Reserve Land</i>	<i>“D”</i>

“P” – *Permitted*

“D” – *not permitted unless special approval given by Council subject to conditions being complied with*

5. In determining applications for the placement of sea containers, Council will require the following information be provided by the applicant:
 - a) The necessary application for planning consent and building license application forms;
 - b) A site plan showing the proposed location of the structure in relation to boundary setbacks, natural features and existing buildings;
 - c) A written submission detailing the proposed works to be undertaken to improve the visual amenity of the structure; and
 - d) Any elevation drawings considered appropriate; and
 - e) Payment of the relevant application fees.

6. As sea containers and other similar structures may have an adverse effect on the visual amenity of an area, their location in Residential, Shop or Office zones will only be supported if the structure is compliant with this policy.

7. All sea containers and other similar structures shall comply with the following design and location criteria:
 - a) The structure should be located so it has low visibility from any road and/or adjoining property, observing all setback requirements contained in Council's Town Planning Scheme No. 1.
 - b) The structure should be located behind existing buildings and/or screening vegetation and not be located in front of the established or proposed building line.
 - c) The structure must be painted in a colour to blend with adjacent buildings or in an earth tone to blend with the natural landscape and vegetation.
 - d) The Council may consider the location of the structure in a position where it may be visible from any road or adjoining residence, or isolated from the existing buildings on a property, when the external appearance of the structure is substantially modified (which may include roofing, cladding and/or painting) so as to conceal its appearance as a sea container.
 - e) No more than one sea container or similar storage structure will be permitted on a property.
 - f) Sea containers or similar structures shall not be used for habitation purposes.
 - g) Sea containers or similar structures may not be made permanent fixtures on the land except on properties zoned 'General Industry' or "Light Industry"
 - h) The structure shall not compromise or obstruct vehicle access ways, vehicle truncations, access to parking areas or the parking bays provided on a site.

- i) The structure shall not compromise or obstruct vehicle or pedestrian sight lines, thereby creating a public safety concern.
8. The Council reserves the right to approve the siting of a sea container or other similar structure on a property for a fixed period of time. Following the expiry of this approval period, the property owner is responsible for seeking the renewal of the temporary approval.
 9. The Council reserves the right to revoke any approval for the siting of a sea container or other similar structure on a property where it is compromising the amenity of an area or impacts on public safety.
 10. The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the case.

D. Mollenoyux
CHIEF EXECUTIVE OFFICER