

TITLE: MISCELLANEOUS STRUCTURES
(Sea Containers, Storage Containers & Sprinkler and Hydrant Water Tanks)

ADOPTED: OMC15 April 2010 – Pages 51 - 53

REVIEWED: OMC 30 July 2015 – Pages 28 - 40
OMC 17 December 2015 – Pages 110 - 121
OMC 25 May 2017 – Pages 85 – 260
OMC 14 December 2017 – Pages 1030 – 1043
OMC 12 December 2019 – Pages 213 – 221
OMC 30 May 2024 – Pages 10 –16

ASSOCIATED LEGISLATION: Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
Local Planning Scheme No 7 (LPS7)

ASSOCIATED DOCUMENTS:

REVIEW RESPONSIBILITY: Director Development Services

DELEGATION: Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

APPLICATION: This policy applies to the LPS7 area.

Objective:

1. Provide guidance on the development of miscellaneous structures in the Shire of Broome.
2. Prevent miscellaneous structures from having an adverse visual impact on the streetscape, amenity, and surrounding properties.

Definitions:

'Sea Container' means a large metal container originally manufactured to carry goods on a sea vessel.

'Sprinkler and Hydrant Water Tank' means water storage for firefighting purposes when mains water supply is unavailable or insufficient.

'Storage Structure' means a prefabricated ensemble building (either new or second-hand) designed for storage (including buildings commonly called Dongas).

Policy:

Exemptions from Development Approval Requirements

- 1.1 Development approval is not required for a sea container or storage structure, which is:
 - a) fully enclosed within a building;
 - b) associated with loading or unloading for shipping, provided that the sea container or storage structure does not remain on site for longer than fourteen (14) days;
 - c) stored in conjunction with the operation of an approved storage facility/depot/laydown area or port related activity;
 - d) used for the storage of materials and equipment related to construction where a building permit has been issued, is current and construction activity is being undertaken on site; or
 - e) used in association with a pastoral activity in the Rural zone.
- 1.2 Any sea containers or storage structures exempt above, must be adequately tied down during the cyclone season (1st December to 30th April inclusive).
- 1.3 The installation of structures classed as Exempt Development in an adopted Local Planning Policy does not require development approval.

Sea Containers and Storage Structures

- 1.4 Unless exempt from development approval as specified above, an application for development approval for a sea container and/or storage structure must comply with the following requirements:
 - a) The container or structure must be wholly located within the boundaries of a property and as a minimum be setback from the boundaries the distance prescribed under LPS7 for the relevant zone;
 - b) The container or structure must be screened from view from any road or any public place;
 - c) The use undertaken must relate directly to and be ancillary to, the approved use on the property;

- d) The container or structure must not be stacked vertically above one another; and
- e) The container or structure must be adequately tied down as required to meet the structural requirements for a wind region C terrain category 2 wind conditions and certified by a structural engineer during the cyclone season (1st December to 30th April inclusive).

1.5 This Policy does not provide direction on proposals for short-term use of sea containers for commercial activities (commonly referred to as popup traders). Such proposals would require the submission of a development application and would be determined by Council.

Permanent Use of Sea Containers and Storage Structures

1.6 Permanent installation of containers will not be permitted in the 'Residential,' 'Regional Centre,' 'District Centre,' 'Local Centre,' 'Mixed Use' or 'Tourism' zone.

1.7 The table below details the maximum number of sea containers that may be considered for lots within the different zones and any additional development requirements to those outlined in the general requirements above:

Zone	Maximum Number of Containers	Additional Requirements
Rural Residential	2	<ul style="list-style-type: none"> • The whole portion of the container(s) is to be behind existing approved buildings on the property; or • The whole portion of the container(s) is to be behind an existing vegetation screen; and • No portion of the sea container(s) shall be visible from any adjoining public place or road.
Service Commercial	2	<ul style="list-style-type: none"> • The whole portion of the container(s) is to be behind existing approved buildings on the property. • Sea containers cannot be visible from Fredrick Street.
General Industry	10	
Light Industry	10	

Rural, and Cultural and Natural Resource	10	<ul style="list-style-type: none"> No portion of the sea container(s) shall be visible from any adjoining public place or road.
Rural Small-holdings	10	<ul style="list-style-type: none"> No portion of the sea container(s) shall be visible from any adjoining public place or road.
Special Use zones - Low Impact Tourist Development	5	<ul style="list-style-type: none"> To be positioned within an identified service area and screened from any tourist development.
Settlement	At the discretion of the Shire	<ul style="list-style-type: none"> No portion of the sea container(s) shall be visible from any adjoining public place or road.
Special Use	At the discretion of the Shire	<ul style="list-style-type: none"> No portion of the sea container(s) shall be visible from any adjoining public place or road.
Development	In accordance with the zone identified under an adopted Structure Plan.	
Reserve	At the discretion of the Shire	<ul style="list-style-type: none"> No portion of the sea container(s) shall be visible from any footpath, road, or active recreation spaces.

Sprinkler and Hydrant Water Tanks

Commercial buildings with a floor area in excess of 500m² are required to address fire requirements (Building Code of Australia). Due to the reduced pressure in the reticulated water supply, an onsite hydrant water system may be required to be provided. Large storage tanks can impact upon the surrounding amenity and streetscape.

- 1.8 Any commercial development which requires the provision of a sprinkler and hydrant water tank system must be shown on the application for development approval and included on the site plan with elevations of the structure.
- 1.9 Any sprinkler and hydrant water tanks must:
- a) be positioned on site so as to be screened from view of the road or public place;
 - b) not be located within a building setback area specified in LPS7;

- c) not cause overshadowing or obstruct views or sight-lines;
- d) not detract from the amenity of the area, by way of location, size, height, shape, colour, or materials; and
- e) not detrimentally affect the heritage significance of a property included on the heritage list.

SHIRE OF BROOME LOCAL PLANNING SCHEME No. 7 (LPS7) – LOCAL PLANNING POLICIES

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7. LPS7 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS7 was gazetted and came into operation on the 28 September 2023.

Planning policies adopted under LPS7 may be amended or rescinded after the procedures set out in Part 2 of the deemed provisions of LPS7 have been completed.