

Temporary Storage (shipping) Container on Public Land

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1. PURPOSE

The aim of this Policy is for Shoalhaven City Council to manage the use and installation of storage (shipping) containers on Council owned and managed land.

2. STATEMENT

Storage (shipping) containers provide a cost effective solution to the shortfall in storage for Community groups that operate on Council owned and/or managed land.

3. DEVELOPMENT PERMITTED WITHOUT CONSENT

The State Environmental Planning Policy (Infrastructure) 2007 (the SEPP) permits outdoor recreation facilities to be developed without consent in a public reserve. Therefore, outdoor recreation facilities which meet the SEPP do not require consent, however, must meet the requirements of this policy.

4. DEFINITIONS

4.1. SHIPPING CONTAINER

Shipping containers are usually large rectangular-shaped, units that are used or are capable of being used for short term storage requirements. The most common shipping container is either 6.1 or 12.2 metres (20 or 40 feet) long by 2.4 metres (8 feet) wide and 2.6 metres (8 feet 6 inches) high.

4.2. RECREATION FACILITY (outdoor)

Recreation facility means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor

recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

5. POLICY

This policy applies to Council owned and/or managed land.

6. TYPE OF APPROVAL

The applicant is required to enter into a licence with Council to occupy Council land for the placement of a temporary storage (shipping) container to be used for storage purposes. The applicant must submit their proposal to Council's Property Unit, prior to submitting a request for placement of the temporary storage.

If the request is for Council managed land held by the Crown, the licence request will be referred to Crown Lands for approval prior to advertising.

Any licence request over both Council and Crown land will need to be advertised for a minimum of 28 days to allow community comment.

The applicant will be required to pay all rental and advertising fees associated with the licence agreement, in accordance with the statutory minimum annual rental fee and Council's adopted Fees and Charges.

7. TIME PERIOD

Shipping containers will only have approval to be on Council owned land for a maximum period of five (5) years, subject to satisfactory compliance assessment, with an option for a further five (5) years.

8. INSTALLATION/REMOVAL

Installation of a shipping container must have Council approval and be licensed. Failure to comply with this policy will result in removal of the shipping container by the applicant or by Council at the cost of the group/person responsible for the shipping container.

9. LOCATION

The location of temporary storage (shipping) containers must adhere to the following:

- Installation must not impede access to the land.
- Containers must be placed on flat, solid ground. Any associated earthworks (cut & fill) must be in accordance with the State Environmental Planning Policy (Exempt and Complying Development) 2008 (Subdivision 15 – Earthworks and retaining walls).
- Containers must not be used to store contaminated or hazardous materials.

Temporary storage (shipping) containers must not be placed:

- In flood ways, however, containers placed on flood prone land must be appropriately anchored (Contact Council for information on the location of flood ways);
- In drainage reserves;

- In areas that are subject to maintenance and access for bushfire purposes;
- In designated parking areas on or within any (developed/active) easement or road reserve;
- In high visibility or scenic quality areas;
- In a heritage conservation area or impact on a European or Aboriginal heritage item;
- Next to structures such as fences or buildings that could encourage climbing and access to buildings;
- On top of services such as pipes, irrigation systems, and effluent disposal systems.
- Across or impeding access by pedestrians or emergency vehicles;
- Be placed where sight lines for traffic or pedestrian /cyclists are impeded;
- on top of underground power or under power lines - must be compliant with the requirements of the energy provider;
- Where the removal of significant vegetation is required.

10. CONDITION OF TEMPORARY STORAGE (SHIPPING) CONTAINER

Temporary storage (shipping) containers must be in good repair; this includes no visible corrosion. They must be painted and maintained to a suitable standard that is compatible and sympathetic to the surrounding area.

11. GRAFFITI

Graffiti on a shipping container must be removed within 48 hours of its detection.

12. NUMBER OF TEMPORARY STORAGE (SHIPPING) CONTAINERS

Only one (1) temporary storage (shipping) container can be located on a reserve unless there are exceptional circumstances, in which case Council will determine each application on its merits. The intention of this limitation is to discourage the proliferation of containers in parks and reserves.

13. PURPOSE OF TEMPORARY STORAGE (SHIPPING) CONTAINERS

Temporary storage (shipping) containers must not be:

- Used for any purpose other than for storage of items belonging to the community group.
- Fitted out with sanitary facilities.
- Used to store hazardous substances and/or dangerous goods for example chemicals, paints, flammable liquids and gases, corrosives, toxic substances.
- Modified or enable a business to be carried out from it.
- Used for personal storage or activities.
- Used for advertising.

14. GOVERNING POLICIES AND PLANS

Environmental Planning and Assessment Act
Shoalhaven Local Environment Plan 2014
Local Government Act
SEPP Infrastructure

15. INSURANCE AND RESPONSIBILITIES OF OWNERS

Shipping containers are owned by and are the responsibility of the applicant. They are not a registered asset of Council and any maintenance, repairs or disposal are the responsibility of the user group or applicant that located the container at the site. The applicant is to compensate Council should the container cause an increase to Council's public liability insurance.

The contents within are the applicants responsibility to insure as is the case with all storage at sportsgrounds.

The owner of the container MUST

- ensure the temporary storage (shipping) container is secured to withstand structure loads of location.
- Ensure that a mechanical fitting is installed to prevent accidental entrapment (self locking) of a person in the temporary storage (shipping) container (eg chaining door to side walls)

16. IMPLEMENTATION

The Finance Corporate & Community Services Group will administer this policy.

17. REVIEW

To be reviewed within one year of the election of a new Council.