



# Guideline for Installing Shipping Containers

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Shipping containers are considered a 'building' under the *Environmental Planning & Assessment Act, 1979 (EP&A Act)* and as such may require development consent unless the development is Exempt Development.

## Where this Guideline Applies

This Guideline applies to the Tenterfield Local Government Area.

## Exempt Development

*The State Environmental Planning Policy (Exempt and Complying Development) 2008 (the Code SEPP)* has some exemptions from the requirement to obtain development consent from Council for the placement of shipping containers. These exemptions relate to:

- Some farm buildings (see Subdivision 16 of Division 1 of the Code SEPP)
- Building site shed, office or associated structure (temporary) (see Subdivision 3 of Division 3 of the CODES SEPP)

If the proposed shipping container development meets the requirements of the Codes SEPP then development consent is not required.

If the proposal is not Exempt Development then development consent is required prior to the installation of any shipping and/or storage container on any land therefore a Development Application is required.

In assessing an application, the following controls are applicable;

- Containers must comply with the criteria specific to the land use zone of the property as applicable under Tenterfield Local Environmental Plan 2013
- Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements

- Containers must not be located over effluent treatment disposal areas/systems
- Containers must not be located over gas lines or underground power lines
- Setbacks to overhead power lines must comply with the requirements of the relevant electricity authority
- Containers must be screened from the streetscape by suitable vegetation or other appropriate screening
- Where containers cannot be screened, Council will require additional design features to be incorporated, e.g. roof structure, doors
- Containers will not be permitted in flood prone areas
- Containers must be painted a neutral colour to blend with the surrounding natural environment and built structures, with the proposed colour to be approved by Council
- Containers must not be stacked
- Containers will not be permitted in Heritage Conservation Areas or on lots containing a Heritage Item unless they are approved on a short-term basis (less than 2 years) in conjunction with an approved Development Application for specific works
- Containers must not contain sanitary facilities
- Containers must be placed on flat, solid ground. Any associated earthworks (cut & fill) must be in accordance with Subdivision 15 – ‘Earthworks and retaining walls’ of Division 1 of the Codes SEPP
- Containers must not be used to store contaminated or hazardous materials.

### For RU1 Primary Production (Rural) Zones

- A maximum of one (1) container per allotment is permissible if it is in accordance with Subdivision 16 of Division 1 of the Code SEPP. Additional containers require Development Consent
- Containers must not be located within fifty (50) metres of the front boundary, and within (10) metres of side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel
- Containers must be used for domestic or agricultural storage purposes only.

## For RU5 Village Zones

- A maximum of one (1) container with a maximum size of 12.2 m x 2.2 m (40 x 7 feet) per property
- Containers must not be located within the front building setback (6 metres from the boundary facing a road). Note: This applies to both frontages for corner allotments, and allotments with a secondary road frontage
- Containers must not be located forward of the building line on any parcel of land within the zone (building line being the setback associated with an existing dwelling erected on the property)
- Containers must not be located any closer than one (1) m from side and/or rear boundaries
- Containers must be located within any building envelope associated with the lot
- Containers must be used for domestic storage purposes only.

## For Established Industrial Areas

- Containers being stored on industrial land for the purpose of re-sale or hire will not be required to meet all setback requirements provided they are not being used for storage or other purposes. If used for storage or other purposes, approval is required and the requirements of the Building Code of Australia (BCA) and the appropriate authority will apply
- The placement and use of shipping containers in Industrial areas shall be dealt with on a case-by-case merit basis following submission of a Development Application.

## For Business Areas

- Containers will only be approved on a temporary basis, for a maximum of 12 months
- Containers must not encroach upon any existing car-parking spaces
- Containers will be assessed as a BCA Class 7 building and as such will be assessed for fire rating and essential services.

## Further Enquiries

Tenterfield Shire Council  
Strategic Planning &  
Environmental Services Department  
247 Rouse Street (PO Box 214)  
TENTERFIELD NSW 2372  
Ph 02 6736 6002

PLEASE NOTE: Before submitting an application to Council it is strongly recommended that the applicant discusses the proposal with a staff member within the Department. Please call the office on (02) 6736 6002 to arrange a pre-lodgement meeting.

Basic steps to follow:

Confirm with the appropriate Council Officer:

- that an application is needed;
- what application will be compulsory for your proposal;
- what information you are required to provide on the lodgement of your proposal.

Compliance with relevant Acts, Regulations, and Codes along with Council Policies, Conditions and Plans will apply.