POLICY NO:
Dev CP111 – LOCAL PLANNING POLICY – OUTBUILDINGS AND SEA CONTAINERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
History		**New**	OCM:	Res:	**Synopsis:**	Policy created. 14/08/2026
	1		OCM:	Res:	**Synopsis:**	

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

The purposes of this Policy are to:

- Provide guidance on acceptable criteria and set minimum standards with regards to proposals for outbuildings.
- Provide guidance and set acceptable criteria for outbuilding proposals to be considered prior to dwelling being substantially commenced.
- Provide guidance on the siting and development of shipping containers to ensure they do not detract from the amenity of the local area in which they are situated or affect the existing operation of the site.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015.*

3. OBJECTIVE

The objective of the policy is for Council to:

1. Establish a clear position for the construction of outbuildings on lots prior to the construction of an approved dwelling on the same lot in the following zones:
   (a) Residential;
   (b) Rural Residential;
   (c) Rural Smallholding;
   (d) Tourism;
   (e) Rural; and
   (f) Priority Agriculture zone.;
2. Regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:
   (a) are located, screened and/or colour treated to appear visually integrated with the surrounding area or builtform; and
   (b) do not result in an adverse impact on amenity or streetscape.
3. Provide certainty about what is considered minor development and to exempt such development from the need for development approval; and
4. Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
State Planning Policy 7.3 Residential Design Codes (R-Codes)
State Planning Policy 2.5 Rural Planning (SPP2.5)
State Planning Policy 3.7 Bushfire (SPP3.7)
Dev CP104 Local Planning Policy Caravans as Temporary Accommodation

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, 2 and 3, any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not apply to sea containers which have been previously approved by Council.

6. DEFINITIONS

Outbuilding as defined by the R-codes and means an enclosed non-habitable structure that is detached from any dwelling and may include a detached garage.

R-Codes means *State Planning Policy 7.3 Residential Design Codes Volume 1* (as amended)

Residential Development means Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.

Substantially commenced means that it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the construction and installation of footings or a slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement. Where no construction is required as part of a development approval, proof that the current use has commenced has to be provided.

Scheme means the Shire of Dardanup Local Planning Scheme No 9

Agriculture—Intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—

(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
(b) the establishment and operation of plant or fruit nurseries;
(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
(d) aquaculture.

Rural pursuit / hobby farm means any premises, other than premises used for agriculture— extensive or agriculture— intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household—

(a) the rearing, agistment, stabling or training of animals;
(b) the keeping of bees;
(c) the sale of produce grown solely on the premises.

Sea Container means a re-sealable metal transportable structure, which is usually rectangular in shape, designed for the storage and transport of goods from one location to another by road, rail and sea and modified for temporary or permanent use on land.

Incidental development means any non-habitable structure, feature, or activity that associated with a Single House, not considered to be an Outbuilding, that is not located under the main roof of the Single House and/or is not attached to the Single House and serves a minor, subordinate, or supportive function to the main residential use.

7. POLICY

Outbuildings in Residential Area – In accordance with the R-Codes an outbuilding in the residential aera cannot exist independently to a dwelling as it is considered to be incidental to the dwelling use.

Outbuildings in Rural Residential, Rural Smallholding, Tourism, Rural and Priority Agricultural Zone – An outbuilding in these zones can be independent from a dwelling where it is considered to be used for a Rural Pursuit or Agricultural Purpose (Intensive or Extensive), or where it is associated with a future dwelling to be built that has a building permit approval.

The policy provision area set out in the following tables:

Table 1: Development Standards For Exempted Outbuilding
Table 2: Construction Of Outbuilding Prior To Completion Of A Dwelling
Table 3: Sea Containers: Development Approval Is Not Required For The Placement Of A Sea Container
Table 4: Sea Container: Development Approval Is Required For The Permanent Placement Of A Sea Container

TABLE 1: DEVELOPMENT STANDARDS FOR EXEMPTED OUTBUILDING	
An application for Development Approval is not required if the below criteria are met in the applicable zone.	
Zone	**Criteria**
Residential zone	Where the proposal complies with following criteria: 1) Is not attached to a dwelling; 2) Is non-habitable; 3) Collectively does not exceed a maximum floor area – 80m^2 in aggregate or 10% in aggregate of the lot site area, whichever is the lesser. 4) Does not exceed a maximum wall height (including site works and slab/pad height) of 3m. 5) Does not exceed a maximum ridge height (including site works and slab/pad height) of 4.2m. 6) Located behind the street setback. 7) Nil setback to the side and/or the rear boundary setback and 1m setback to a secondary street boundary is permitted for a maximum wall length of 9m. 8) Compliant with the relevant standards for the zone in the LPS9; 9) All stormwater including roof run off disposal is to be contained within site. 10) No required clearing of vegetation. A dwelling exists, has substantially commenced or is exempt from planning approval and will be built at the same time as the proposed outbuilding. This exemption does not apply to land within the SCA1 and SCA4 – as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house is substantially commenced.
Rural Residential, Rural Smallholdings and Tourism zone	Where the proposal complies with following criteria: 1) For lot area less than 3 ha - Maximum floor area – 300m^2 in aggregate or 10% in aggregate of the lot site area, whichever is the lesser; or 2) For lot area larger than 3 ha - Maximum floor area – 400m^2 aggregate or 10% in aggregate of the lot site area, whichever is the lesser. 3) Compliant with the relevant standards of the LPS9, located within an approved building envelope or outside building exclusion area. 4) All stormwater including roof run off disposal is to be contained within site 5) No required clearing of vegetation. 6) The outbuilding is incidental to a dwelling that exists, has substantially commenced or is exempt from planning approval and a building permit has been issued; or 7) The outbuilding is associated with a Rural Pursuit or Agriculture (intensive/Extensive); This exemption does not apply to land within the SCA1 and SCA4 - as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house has a building permit approval.
Rural and Priority Agriculture zone	Where the proposal complies with following criteria: 1) Compliant with the relevant standards for the zone in the LPS9. 2) No required clearing of vegetation. This exemption does not apply to land within the SCA1, SCA2, SCA4, SCA5 and SCA6 – as outlined in LPS9.
TABLE 2: CONSTRUCTION OF OUTBUILDING PRIOR TO COMPLETION OF A DWELLING	
This table sets out the criteria for consideration to approve an application for Development Approval and/or Building Permit application	
Zone	**Criteria**
Residential zone	Where the proposal complies with the following criteria: 1) A dwelling has substantially commenced. 2) Compliant with the relevant standards for the zone in the LPS9.
Rural Residential zone	Where the proposal for an outbuilding is associated with a dwelling and it complies with the following criteria:

	1) Compliant with the relevant standards for the zone in the LPS9; 2) Building permit for a dwelling on the lot has been issued; 3) Only one (1) outbuilding prior to the completion of a dwelling may be supported; 4) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under *SDev CP104 Local Planning Policy Caravans as Temporary Accommodation*; and. 5) The proposed outbuilding shall not be used for any commercial or industrial use.
Rural Smallholding, Tourism Rural and Priority Agriculture zone	No conditions.

TABLE 3: SEA CONTAINER - DEVELOPMENT APPROVAL IS NOT REQUIRED FOR THE PLACEMENT OF A SEA CONTAINER	
An application for Development Approval is not required if the below criteria are met in the applicable zone.	
Zone	**Criteria**
All Zones	**Temporary uses**: A sea container for temporary use does not require Development Approval in any zone where the following criteria are met: 1) One sea container only of 20Ft (external dimension of 6.06m L x 2.44m W x 2.59m H) is placed on the lot for up to a maximum of 7 days in any 12 month period and is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or 2) One sea container only of 20 Ft (external dimension of 6.06m L x 2.44m W x 2.59m H) is placed on a lot for up to a maximum 12 months and is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.
Light Industry and General Industry zone	**Development Approval is exempted** where all of the following criteria are met: 1) Sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 3m from all other boundaries; 2) The permanent placement of the sea containers on the lot may only be either one sea container of 40Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size or two sea containers of 20Ft (external dimension of 6.06m L x 2.44m W x 2.59m H) in size; 3) Sea containers are stacked no more than two sea containers high; 4) Sea containers are not located over drainage areas, septic tanks, or vehicle access ways; 5) No other structures are proposed to be attached to or cover the sea containers; 6) Is/are ancillary to an approved or permitted use; 7) No required clearing of vegetation; 8) Will not be used for human habitation; 9) Only be used for the purpose of storage, unless otherwise approved by Council; and 10) External appearance needs to be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable.

TABLE 4: SEA CONTAINERS: DEVELOPMENT APPROVAL IS REQUIRED FOR THE PERMANENT PLACEMENT OF A SEA CONTAINER	
An application for Development Approval is required and assessed against the applicable Development Standards.	
Zone	**Development Standards**
Within the townsite boundary	General policy position: The placement of sea containers is generally not permitted within the townsite boundary, including on land reserved under Local Planning Scheme No. 9 (LPS9) and land within the Residential zone. Notwithstanding the general policy position, Council may consider an application for development approval for the placement of a sea container on land within the Residential zone, or on other land within the townsite boundary and meets the relevant assessment criteria set out below. In determining an application, Council shall have due regard to the zoning, purpose and existing and intended use of the land, the applicable development standards, the visual impact of the sea container, the amenity of the locality and any other relevant planning considerations. Satisfaction of the assessment criteria does not guarantee approval. Council may refuse an application where the proposal is inconsistent with LPS9, the objectives of this policy or the orderly and proper planning of the locality. The following assessment criteria are met: 1. **Zoning and development standards:** The proposal complies with the applicable zoning requirements and development standards under LPS9, including any applicable requirements relating to setbacks, site coverage and other development controls. 2. **Size:** The placement of only one sea container of 20Ft in size in the Residential or Urban Development Zone (Structure Plan/Residential) or one container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) or two containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) placed on other land other than residential or urban development zone (Structure Plan – Residential) within the townsite boundary. 3. **Vegetation:** The proposal does not require the clearing of existing native vegetation. 4. **Habitation:** The sea container is not to be used for human habitation. 5. **Purpose:** The sea container is to be used solely for storage, unless another use is expressly approved by the local government as part of the development approval. 6. **Visual screening:** The sea container is to be effectively screened from view from adjoining roads, other public places and adjoining properties. 7. **Landscaping and screening:** Screening is to be provided by native vegetation comprising a range of plant sizes and growth forms, including understorey and canopy species. The screening vegetation is to provide an effective visual screen and extend to a minimum depth of 2 metres. Unless otherwise approved by the local government, the vegetation is to be planted within three months of the date of development approval and maintained thereafter to ensure the continued effectiveness of the screen. 8. **Stacking:** Sea containers are not to be stacked on top of one another. 9. **External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** 1. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or 2. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.
Rural Residential and Rural Smallholding zone	Where the following criteria are met: 1) There must be an existing habitable dwelling on the lot and only one sea container will be supported; 2) Compliant with the relevant standards for the zone in the LPS9;

	3) No required clearing of vegetation; 4) Will not be used for human habitation; 5) Only be used for the purpose of storage, unless otherwise approved by Council; 6) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties; 7) **Size:** The placement on the lot only of two sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or one sea container of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size. 8) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter; 9) Sea containers must not be stacked on top of one another; and **10) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** a. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or b. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.
Rural and Priority Agriculture and Tourism zone	Where the following criteria are met : 1) Compliant with the relevant standard for the zone in the LPS9; 2) No required clearing of vegetation; 3) Will not be used for human habitation; 4) Only be used for the purpose of storage, unless otherwise approved by Council; 5) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties; 6) **Size:** The placement on the lot only of four sea containers of 20Ft (external standard dimension of 6.06m L x 2.44m W x 2.59m H) each in in size or two sea containers of 40 Ft (external standard dimension of 2.19m L x 2.44m W x 2.89m H) in size. 7) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter; 8) Sea containers must not be stacked on top of one another; and **9) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** a. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or b. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.
Note: All Zones	*Notwithstanding above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity or has the potential to visually impair or detract from the exterior*

	design or appearance of other buildings or sightlines in the vicinity, the application will be refused.