Moira Shire Council

Storage Containers on Council Owned Land Policy

Policy type	Council
Policy Number	PR-09
Version Number	
Responsible Director	Director Infrastructure
Responsible Officer	Manager Property and Assets
Date adopted by Council	
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

It is recognised that, from time to time, circumstances change leading to the need for minor administrative changes to this document. Administrative changes do not materially alter the document (such as spelling/typographical errors, change to the name of a Council department, a change to the name of a Federal or State Government department). Administrative updates can be made in accordance with the Policy Framework Guidelines.

1. PURPOSE

The purpose of this policy is to manage storage sheds and containers on land owned or managed by Council in a sustainable, safe and consistent way, and to outline the criteria that Council will use when considering applications for additional storage.

2. SCOPE

This policy applies to all requests for site storage (external to existing buildings) on all freehold land owned, or crown land managed by Council. This includes but is not limited to Recreation Reserves, Showgrounds, Halls and Historical Precincts and road reserves. Council's works depots are exempt under this Policy.

3. DEFINITIONS

Term	Definition
Storage facilities	Units of varying sizes that are capable of being used for storage, including but not limited to shipping containers and sheds.
Land owned or managed by Council	Council freehold land or crown land whereby the Council is the appointed land manager.

4. POLICY STATEMENT

Council recognises that community user groups and asset committees may seek storage sheds or containers to support their activities. However, Council must balance those requests against public safety, visual amenity, operational impacts and the intended use of Council-owned or Council-managed land. Requests will be assessed on a case-by-case basis against the criteria in this policy.

5. CRITERIA FOR CONSIDERATION OF ADDITIONAL STORAGE

The proposed policy position is that storage containers should only be placed on Council land where Council has provided written approval and where the placement is temporary, necessary, safe, visually acceptable, appropriately insured and consistent with the intended use of the land. In general, the requirements to allow for a storage container are as below;

- Containers must not be placed on Council land without prior written approval.
- Approval should be time-limited and linked to a defined purpose
- Applicants must provide a site plan showing the proposed location, access arrangements, setbacks and any nearby hazards or sensitive interfaces.
- Applicants must hold appropriate public liability insurance and indemnify Council where required.
- Containers must be maintained in a safe, clean and presentable condition.
- Containers must not obstruct pedestrians, vehicles, emergency access, drainage, utilities, sight lines or public use of open space.
- Additional planning, building, local law, road occupation or landowner approvals may be required depending on the location and use.
- Council may require screening, relocation, modification or removal where amenity, safety or operational issues arise.

Previously printed or saved copies of this document are uncontrolled. Please visit Moira Shire Council's website to access the controlled version of this document.

Council will only consider an application for additional Storage facilities provided the requesting User Group has considered the following:

- Investigated any opportunity for building alterations, use of other existing storage options available on site (sharing facilities) or consulted with other site occupants to determine if a shared facility is relevant.
- Rationalised existing contents in storage (noting that valid reasons for increasing storage requirements relate to expansion of membership, increased service and not simply the accumulation of more equipment).
- Assessed visual impacts of the storage facilities proposed.
- Demonstrated that the types and quantities of materials to be stored are demonstrated as being better suited to storage in a container rather than stored elsewhere and transported.
- Provide information to support the size of the container in comparison to the volume of materials to be stored.
- Provide information about the frequency and duration for which the storage container is intended to be used.
- Provide reasoning about the cumulative effects of more than one storage container.

6. COMPLIANCE WITH POLICY

Existing and new Storage facilities that do not comply with this policy will not be permitted to remain or be installed on site and Council has the right to order their removal at the cost of the User Group.

Council reserves the right to install storage containers for its own use on Council land where an emergency situation exists that requires short term immediate storage or for short term construction works and meet the criteria as detailed in section 5.

7. APPLICATION FOR PERMISSION TO INSTALL A STORAGE UNIT

Applicants are required to obtain Council permission by way of a landowners consent letter for any proposed installation of any Storage facility prior to any application for a Building or Planning permit or application for a community grant. In addition a permit, license or lease will be investigated as appropriate for the use of the land on which the Storage facility is to be located.

The consent letter is obtained from the Property and Assets Manager of Council by email at Property@Moira.vic.gov.au or contacting Council on (03) 5871 9222.

The Property and Assets Manager will review any application and seek advice from all relevant sections of Council to ascertain the support or otherwise to the request for the installation of any Storage facility.

Council will, as required, also advise any additional land use requirements as appropriate to the particular site proposed to install the Storage facility. Obtaining a consent letter does not supersede requirements to obtain Planning or Building permits as relevant; nor does principal permission granted under this policy pre-suppose favourable outcomes or remove the potential requirement for further permit requirements.

Any required permits must be obtained by the applicant. The applicant will be responsible for meeting any requirements of the Building and Planning permit process.

8. MONITORING AND EVALUATION

Any approved Storage facility must be maintained in good order and repair by the User Group. An annual inspection will be undertaken by Council to ensure the structure is sound, remains suitable to the original requested use and has not become of concern or a visual disturbance.

Previously printed or saved copies of this document are uncontrolled. Please visit Moira Shire Council's website to access the controlled version of this document.

Should the Storage facility be poorly maintained then a notice will be issued by Council to the User Group advising of these concerns and allowing 30 days for the User Group to undertake works to rectify any issues raised.

Should the works not be completed within this time frame or the storage container become unsuitable to the site it is located at then a notice to remove will be issued by Council giving the User Group 60 days for the Storage facility to be removed from Council land.

9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 – COMPATIBILITY STATEMENT

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in relation to whether any human right under the Charter is restricted or interfered with in any way by enacting any part of this policy. It is considered that this policy is consistent with the rights outlined in the Charter.

10. RELATED DOCUMENTS

Related Legislation

- *Local Government Act 2020*
- *Charter of Human Rights & Responsibilities Act 2006*
- *Building Act 1993*
- *Building regulations 2018*
- *Planning and Environment Act 1987*

Related Policies and Procedures

- *Council Plan*
- *Annual Budget*
- *Financial Plan*
- *Asset Plan 2021-2031* ,
- *Asset Management Policy*
- *Community Engagement Policy*
- *Lease and Licence Policy*
- (Existing) *Storage Containers located on Council owned/managed land Policy*

11. DOCUMENT REVISIONS

Version	Summary of Changes	Approved by	Date
1	Original Policy adopted 8 June 2021		
2	Changes made to original policy included Sections 5, 6 7, 8, and 10		TBD

Previously printed or saved copies of this document are uncontrolled. Please visit Moira Shire Council's website to access the controlled version of this document.