

Local Planning Policy No.10

Commercial Vehicle Parking



LOCAL PLANNING POLICY NO.10 COMMERCIAL VEHICLE PARKING

1. Background

The intention of this Policy is to provide guidance to Council and the community on the parking of commercial vehicles on properties within the district of the City of Kwinana.

2. Purpose

- To provide a balance between amenity considerations and the needs of commercial vehicle drivers to park their vehicles at their place of residence;
- To provide a set of criteria for the assessment of commercial vehicle parking to ensure the character of the locality is maintained; and
- To ensure that commercial vehicles are accommodated in such a way as to minimise their impact on adjacent properties.

3. Definitions

“Commercial vehicle” means :- *a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes and/or which is greater than 7 metres in length and 2.4 metres in height, including –*

- (a) *a utility, van, truck, tractor, bus or earthmoving equipment; and*
- (b) *a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);*

“Rigid (non-articulated) Vehicle” means:- *a truck where the axles are fixed to the frame, separate from a trailer and does not include a prime mover / semi-trailer combination.*

“Non-Motorised Commercial Vehicle” means:- *a vehicle which is intended or designed to be an attachment to a commercial vehicle which is not able of self-propulsion.*

4. Policy Statement

All proposals for commercial vehicle parking require the planning approval of the City prior to the commencement of parking on the property. Applicants need to clearly demonstrate that their proposal meets all of the objectives and requirements of this policy and the Local Planning Scheme.

A planning approval granted in respect to commercial vehicle parking will be personal to the person to whom it is granted, and is not transferable to any other person or vehicle/s, and will not run with the land in respect of which it is granted.

4.1 Accompanying information for planning application

An application for planning approval shall be submitted with the following information.

- a) Completed planning application form (including landowner consent);

- b) Payment of the required fee;
- c) A scaled site plan showing lot boundaries, building envelope (where applicable), dwelling, driveway, proposed parking location, and intended vehicle screening measures;
- d) Photographs of the front, side and rear of the vehicle/s to be parked on the property;
- e) Vehicle details (type, make, height, length) and vehicle registration.

4.2 Acceptable development provisions

4.2.1 An approval may only be granted where an occupier of the lot upon which the commercial vehicle(s) is to be parked is also:

- a) the owner of the commercial vehicle(s); or
- b) the driver of the commercial vehicle(s); or
- c) the proprietor of a business which owns or operates every commercial vehicle which is to be parked or garaged on the lot.

4.2.2 The maximum number of commercial vehicles which may be approved within a particular zone is set out in Table 1 below:

Table 1- Commercial Vehicle Parking Criteria

| Zone | Lot Size | Maximum number of motorised Commercial Vehicles | Maximum number of non-motorised Commercial Vehicles |
|---|--|--|---|
| <i>All zones</i> | <i>Lot size of 500m² or less</i> | <i>No commercial vehicles are permitted.</i> | <i>No non-motorised commercial vehicles are permitted.</i> |
| <i>Residential Special Residential</i> | <i>Lot size of greater than 500m²</i> | 1. <i>One rigid (non-articulated) vehicle not exceeding 7m in length and 2.4m in height.</i> 2. <i>No prime mover will be permitted to be parked on any lot.</i> | <i>One non-motorised commercial vehicle but not a trailer which exceeds 7 metres in length.</i> |
| <i>Special Rural Rural Water Resource Rural A Rural B</i> | <i>Lot size of greater than 500m²</i> | 1. <i>One rigid (non-articulated) commercial vehicle or one prime mover.</i> 2. <i>Commercial vehicle with a Gross Vehicle Mass (GVM) in excess of 42 tonnes is prohibited.</i> | <i>One trailer exceeding 7 metres in length or one other non-motorised commercial vehicle.</i> |

4.2.3 For lot sizes greater than 500m², Council may vary the 'Maximum number of motorised Commercial Vehicles' as stipulated in Column 3 of Table 1 by a maximum of one additional motorised commercial vehicle provided –

- i) the applicant satisfies each of the criteria outlined within clause 4.2.1 above;

- ii) the additional commercial vehicle will be sufficiently screened from view of the surrounding streets and the adjacent properties; and
- iii) the additional commercial vehicle will not detrimentally impact on the character, safety or amenity of the surrounding locality.

4.2.4 For lot sizes greater than 500m², Council may vary the 'Maximum number of non-motorised Commercial Vehicles', as stipulated in Column 4 of Table 1 provided the additional trailer(s) or other attachments:

- i) will only be used in conjunction with the motorised commercial vehicle(s) permitted to be parked on the subject lot pursuant to this Clause 4.2.2;
- ii) will be sufficiently screened from view of the surrounding streets and adjacent properties; and
- iii) will not detrimentally impact on the character of the surrounding locality.

4.2.5 The commercial vehicle is to be parked entirely on the subject lot or on the approved driveway, not causing any obstruction on a public thoroughfare and is to be located on a hardstand area or alternatively parked within a garage / outbuilding.

In the case of special residential, special rural and rural water resource lots, the vehicle is to be parked wholly within the approved building envelope. If there is no approved building envelope, the vehicle should be located in an area that is suitably screened from the street and adjoining neighbours to the satisfaction of the City.

4.2.6 All noise from the vehicle/s is to comply with the Environmental Protection (Noise) Regulations 1997.

4.2.7 There is to be no transfer of goods from one vehicle to another vehicle, unloading or loading of the vehicle, or storage of goods or equipment associated with the use of the vehicle.

4.2.8 Where the crossover is unsealed or does not meet the City's engineering standards, the City will require it to be upgraded to a sealed standard so as to protect the road pavement surface, limit the impact of dust nuisance and to limit materials being carried onto the adjoining road surface.

4.2.9 The City may revoke the approval where, upon investigation, it is satisfied that:

- (a) Any of the terms or conditions of approval are not being complied with; or
- (b) The commercial vehicle parking is causing a nuisance or annoyance to residents in the neighbourhood; and
- (c) The source of the nuisance or annoyance has not been rectified within 7 days of the City's written request.

5. References

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| Name of Policy | Local Planning Policy No.10 – Commercial Vehicle Parking |
| Date of Adoption and resolution No # | 24/04/2018 Resolution No #147 |
| Review dates and resolution No # | |
| Legal Authority | Division 2 – Local Planning Policies of Part 2 – Deemed provisions for local planning schemes of Planning and Development (Local Planning Schemes) Regulations 2015 |
| Directorate | City Regulation |
| Department | Statutory Planning Department |
| Related documents | Acts/Regulations City of Kwinana Local Planning Scheme No.2 |