

DRAFT LOCAL PLANNING POLICY

POL-C-120 Commercial Vehicle Parking Policy



1 Background

The parking of commercial vehicles is often a necessary occurrence as a result of land uses within commercial, industrial, residential and rural areas. Whilst the parking of commercial vehicles can occur with little detrimental impact on the surrounding area, there is the potential for land use conflict unless adequate controls are put in place.

There are a range of factors that need to be taken into consideration in the determination of proposals for commercial vehicle parking, including the type of vehicle and property involved, the impact of the parking on the surrounding area and the means of access to and from where the vehicle is to be parked.

This policy is intended to provide guidance to proponents, officers and Councillors on the appropriate requirements for the parking of commercial vehicles within the commercial, industrial, residential and rural areas of the City of Swan.

2 Definitions

"Commercial Vehicle" means a vehicle, whether licensed or not, which has a gross vehicle mass of greater than 4.5 tonnes and includes the following vehicles above that weight:

- i. Any utility, van, truck, trailer or tractor or any attachment to any of them or any article designed to be an attachment to them; and
- ii. Any omnibus and any earthmoving machine whether self-propelled or not.

"Commercial Vehicle Parking" means the parking or garaging of not more than two Commercial Vehicles for more than two hours in any 24 hour period.

3 Objectives

This Policy is intended to:

- (a) Provide opportunities for the parking of commercial vehicles on private property in a manner that does not detrimentally impact on the amenity and safety of the surrounding community;
- (b) Provide guidance to proponents on the level of information required to be submitted as part of an application for commercial vehicle parking;
- (c) Provide guidance to Councillors, officers and proponents on the range of factors to be taken into consideration in determining proposals for commercial vehicle parking;
- (d) Provide a level of consistency in the decision making process for applications for commercial vehicle parking within applicable zones.

4 Application Requirements

Any development application for commercial vehicle parking must include the following details:

- (a) A photograph and full description of the vehicle(s), including type, make, model and age;
- (b) The registration number(s) for the subject vehicle(s);
- (c) The height, length, width and tare/aggregate weights of the subject vehicle(s) and an indication of which vehicle type category is appropriate for the subject vehicle under Section 6 of this policy;
- (d) A site plan to scale showing lot boundaries and the location of any dwellings, outbuildings, driveways, proposed parking location and any intended vehicle screening measures;
- (e) A photograph showing the location where the vehicle(s) is proposed to be parked;
- (f) An indication of the typical frequency and times that the vehicle will be driven to and from the subject property and a description of the intended business use of the vehicle(s);
- (g) A plan indicating the local roads that will usually be traversed between where the vehicle(s) is proposed to be parked and the main road network, supported by an assessment of the capability of these local roads to provide access for the subject vehicle(s) and an acceptable level of safety for all other road users;
- (h) Description of any additional activities proposed to be undertaken as part of the parking of the commercial vehicle(s), including washing and/or servicing of vehicles; and
- (i) Any other details required under specific zonings, as outlined in Section 5 of this policy.

5 Policy Statement

The following provisions are to be taken into consideration for commercial vehicle parking within applicable zones under *Local Planning Scheme No. 17*.

5.1 General Provisions

The following provisions relate to commercial vehicle parking in all applicable zones of LPS17, regardless of lot size or vehicle classification:

- (a) A commercial vehicle is deemed to be parked on a lot for the purposes of this Policy if it remains on that lot for more than two hours in total over any 24 hour period;
- (b) No more than 2 commercial vehicles may be parked on any lot¹, with the exception of the parking of commercial vehicles within the 'Rural zones' that are used solely within a subject lot for the purposes of the production of rural produce or rural goods;

¹ An application for the parking of more than 2 commercial vehicles on a lot will be classified as an application for a 'Transport Depot' or a 'Rural Transport Depot'. For permissibility of these land use classifications, see *Local Planning Scheme No. 17* and the Transport Depot and Rural Transport Depot Policy (POL-C-119).

- (c) The commercial vehicle proposed to be parked must be completely parked within the boundaries of the subject lot at all times;
- (d) All applications must comply with the assigned noise levels outlined in the *Environmental Protection (Noise) Regulations 1997*; and
- (e) All applicants must note that a planning approval for the parking of commercial vehicles does not negate the need to attain approval from Main Roads for the operation of Restricted Access Vehicles (RAVs) within a road network. Applicants must ensure that they attain any required Main Roads approval prior to applying for planning approval to park the subject commercial vehicle.

5.2 Commercial and Industrial Areas

The parking of commercial vehicles on commercial and industrial properties is often the result of the vehicle being required for the operation of the business undertaken on the property. Because of the nature of commercial and industrial areas, the parking of commercial vehicles is often likely to have a minimal impact on the surrounding area.

There is the potential, however, for the parking of commercial vehicles to result in land use conflict, depending on the type of vehicle involved, the impact that parking may have on surrounding land uses, and the impact on traffic management in the local area.

In order to ensure amenity is protected, the City will require all applicants to meet the following provisions (in addition to those outlined in Section 4) before an application for commercial vehicle parking in commercial and industrial areas is considered.

5.2.1 General Commercial, Highway Service and Light Industrial and Industrial Development zones

- (a) The parking of up to two Type 1 commercial vehicles may be permitted on any lot within the 'General Commercial', 'Highway Service' or 'Light Industrial' zones without the need for planning approval provided that it meets the exemption conditions outlined in Schedule 5A of *Local Planning Scheme No. 17*;
- (b) The parking of up to one Type 2 commercial vehicles may be permitted on any lot within the 'General Commercial', 'Highway Service' or 'Light Industrial' zones provided that planning approval has been obtained under Part 9 of *Local Planning Scheme 17*;
- (c) The parking of any commercial vehicle within the 'Industrial Development' zone must be in accordance with an approved structure plan for that area²

² If a structure plan has not been endorsed for the subject area, or an endorsed structure plan provides insufficient guidance for the parking of commercial vehicles, then the City of Swan will:

- a) Determine the current land use of the subject site and the most applicable zoning under *Local Planning Scheme 17* that would apply to that land use; and
- b) Use the relevant provisions of this policy based on the selected zoning to determine the suitability of the application.

- (d) Any commercial vehicle that is proposed to be parked must be used as an essential part of the business or trade that is legally operating on the subject lot;

5.2.2 General Industrial zone

- (a) The parking of up to two commercial vehicles, regardless of their type under Section 6 of this policy, may be permitted on any lot zoned 'General Industrial' without the need for planning approval provided that it meets the exemption conditions outlined in Schedule 5A of *Local Planning Scheme No. 17*;
- (b) Any commercial vehicle that is proposed to be parked must be used as an essential part of the business or trade that is legally operating on the subject lot;

5.3 Residential Areas

Proponents who use a commercial vehicle in the course of their business or trade often wish to park the vehicle at their residence to ensure its security. In some cases this should be able to occur without impact to the surrounding area, provided that certain standards are met.

The primary concern associated with the parking of commercial vehicles in residential areas is the community expectation for the protection of amenity. In order to ensure amenity is protected, the City will require all applicants to meet the following provisions (in addition to those outlined in Section 4).

5.3.1 Residential and Residential Redevelopment zones

- (a) The parking of up to one Type 1 commercial vehicle may be permitted on any lot zoned 'Residential' or 'Residential Redevelopment' provided that planning approval has been obtained under Part 9 of *Local Planning Scheme No. 17*;
- (b) No commercial vehicles of Type 2 may be parked on any lot within the 'Residential' or 'Residential Redevelopment' zone;
- (c) Any commercial vehicle that is proposed to be parked must be used as an essential part of the main occupation of an occupant of the dwelling;
- (d) The lot on which the vehicle is proposed to be parked should contain only a single house and associated outbuildings. Approval will not be granted for commercial vehicle parking on lots without an occupied dwelling or lots with multiple or grouped dwellings; and
- (e) The parked commercial vehicle must be sufficiently screened from view from the street and from adjacent properties at all times.

5.3.2 Residential Development Zone

- (a) Commercial vehicle parking in the 'Residential Development' zone must be in accordance with an approved structure plan for that area²

5.4 Rural Areas

Proponents in rural areas may wish to park a commercial vehicle at their residence because it is used in the course of their business or trade, or because it is used exclusively at their residence.

Due to the more dispersed pattern of settlement and larger landholdings common in rural areas, there is greater potential to accommodate the parking of commercial vehicles without impact on the amenity of the surrounding area. There is, however, a need to ensure that the parking of commercial vehicles is of a scale that is compatible with the prevailing lot sizes and community expectations of the local area.

In order to ensure that the proposed parking of commercial vehicles is appropriate to the local rural area, applicants are required to meet the following provisions (in addition to those outlined in Section 4).

5.4.1 Rural Residential, Swan Valley Rural and Rural Living zones

- (a) The parking of up to one Type 1 commercial vehicle may be permitted on any lot within the 'Rural Residential', 'Swan Valley Rural' and 'Rural Living' zones without the need to attain planning approval, provided that it meets the exemption conditions outlined in Schedule 5A of *Local Planning Scheme No. 17*;
- (b) The parking of up to two Type 1 commercial vehicles may be permitted on any lot within the 'Rural Residential', 'Swan Valley Rural' and 'Rural Living' zones provided planning approval has been obtained under Part 9 of *Local Planning Scheme No. 17*;
- (c) The parking of up to one Type 2 commercial vehicle may be permitted on any lot within the 'Rural Residential', 'Swan Valley Rural' or 'Rural Living' zones, provided that planning approval has been obtained under Part 9 of *Local Planning Scheme No. 17*;
- (d) The commercial vehicle that is proposed to be parked must be used:
 - i. as an essential part of the main occupation of an occupant of the dwelling; or
 - ii. solely in connection with a lawful rural activity conducted on the subject lot.
- (e) The lot on which the vehicle is proposed to be parked should contain at least one single occupied house and associated outbuildings. If there is no constructed dwelling on the lot, the commercial vehicle must be parked within an approved shed of sufficient size to screen the entire vehicle.

5.4.2 General Rural, Landscape and Resource zones

- (a) The parking of up to one Type 1 commercial vehicle may be permitted on any lot within the 'General Rural', 'Landscape' and 'Resource' without the need to attain planning approval, provided that it meets the exemption conditions outlined in Schedule 5A of *Local Planning Scheme No. 17*.

- (b) The parking of up to two Type 1 or Type 2 commercial vehicles may be parked on a lot within the 'General Rural', 'Landscape' and 'Resource' zones, provided that planning approval has been obtained under Part 9 of *Local Planning Scheme No. 17*;
- (c) The commercial vehicle that is proposed to be parked must be used:
 - i. as an essential part of the main occupation of an occupant of the dwelling; or
 - ii. solely in connection with a lawful rural activity conducted on the subject lot.
- (d) The lot on which the vehicle is proposed to be parked should contain at least one single occupied house and associated outbuildings. If there is no dwelling on the lot, the commercial vehicle must be parked in an approved shed of sufficient size to screen the entire vehicle.

5.4.3 Special Rural zone

- (a) Commercial vehicle parking in the 'Special Rural' zone must be in accordance with an approved structure plan for that area²

5.5 Special Use areas and Private Clubs/Institutions:

A large proportion of the City of Swan's new growth areas are encompassed within the 'Special Use' zoning to ensure a co-ordinated and comprehensive approach to development. Development within these areas includes a wide range of land uses, including commercial, residential, public open space, private recreation areas, rural areas and industrial precincts. The requirement or desire to park commercial vehicles within these areas will be no different to areas that are specifically zoned for individual uses throughout the City, and as such guidance must be provided for appropriate parking of commercial vehicles.

In addition to these areas, the City also caters for a variety of private institutions and clubs, including private schools, sporting clubs and places of worship. These uses often require commercial vehicles including buses, trucks and excavation equipment.

In order to ensure that the proposed parking of commercial vehicles is appropriate within these diverse areas, applicants are required to meet the following provisions (in addition to those outlined in Section 4).

5.5.1 Special Use zones

- (a) Commercial vehicle parking in the 'Special Use' zone must be in accordance with an approved structure plan for that area²

5.5.2 Private Clubs & Institutions zone


- (a) The parking of up to one Type 1 commercial vehicle may be permitted on any lot zoned 'Public Clubs & Institutions' provided that planning approval has been obtained under Part 9 of *Local Planning Scheme No. 17*;

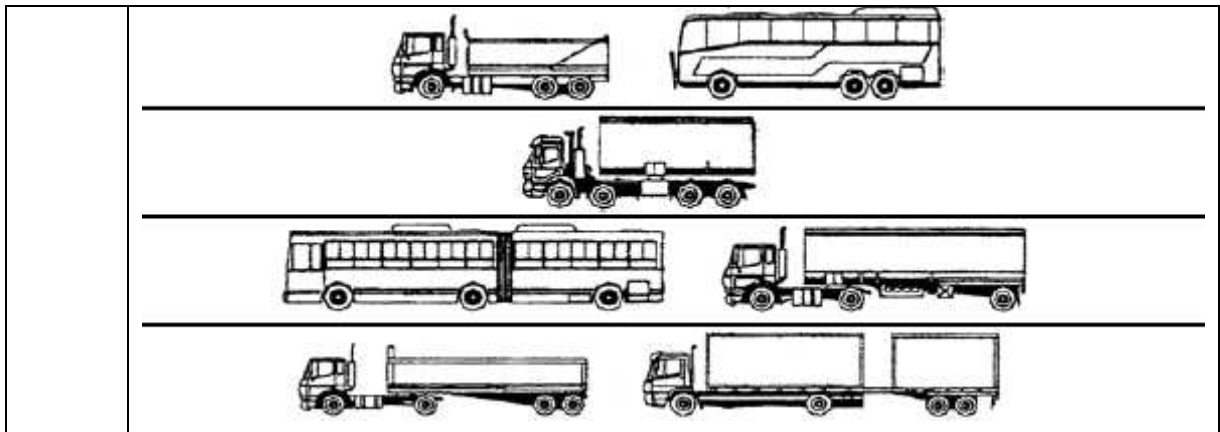
-
- (b) No commercial vehicles of Type 2 may be parked on any lot within the 'Public Clubs & Institutions' zone;
 - (c) Any commercial vehicle that is proposed to be parked must be used as an essential part of the approved land use on the subject lot;

6 Type of Vehicles

The following table is to be used in conjunction with the policy provisions outlined in this policy.

Table 1: Type of Commercial Vehicles for the purposes of this policy

Vehicle Type	Definition
<p>TYPE 1</p>	<p>Means any commercial vehicle with an aggregate mass in excess of 4,500kg but less than 15,000kg, including but not limited to:</p> <ul style="list-style-type: none"> a) a truck with no more than two-axles (non-articulated vehicle); b) any trailer, converter dolly or article designed to be attached to a vehicle; c) a bus licensed to carry in excess of 12 persons but not more than 22 persons, including the driver; and d) a tractor with a power take-off rating (PTO) of less than 120 horse power; <p>The Commercial Vehicle must also be within the following specifications:</p> <ul style="list-style-type: none"> e) with a width that does not exceed that specified in Section 60 of the <i>Road Traffic (Vehicle Standards) Rules 2002</i>; f) with a height that does not exceed that specified in Section 66 of the <i>Road Traffic (Vehicle Standards) Rules 2002</i>; g) with a length of which (including any trailer having an aggregate mass less than 4,500 kg) does not exceed 13 metres. <p>Examples of Type 1 Commercial Vehicles:</p> <div style="text-align: center;">  </div>
<p>TYPE 2</p>	<p>Means any commercial vehicle with an aggregate mass in excess of 15,000 kg including but not limited to:</p> <ul style="list-style-type: none"> a) a truck or prime mover; b) a trailer or semi-trailer; c) tractor with a power take-off rating (PTO) in excess of 120 horse power; d) earth moving vehicles including but not limited to a bulldozer, road-roller or grader. e) an omnibus capable of seating in excess of 22 adult persons including the driver. <p>Examples of Type 2 Commercial Vehicles:</p>



7 Monitoring and Review

This Policy is proposed to be reviewed on an annual basis, with the next review proposed in 2011.

More frequent amendments/reviews to the Policy may need to be undertaken in response to amendments to *Local Planning Scheme No. 17* that are inconsistent with the direction or intentions of this Policy.

Governance References

Statutory Compliance	List the statutory compliance influences.
Industry Compliance	Nil
Organisational Compliance	List organisational compliance influences
Decision Maker	Council
Process Links	Insert References of relevant processes

Policy Administration

Business Unit Name	Officer Title	Contact:
Development Services	Co-ordinator Project Planning	9267 9267
Risk Complexity Classification	Insert #	Review Frequency Annual
		Next Due 2011

Version	Decision Reference	Synopsis
1.	OCM or MANEX 00/00/00-PtB-0.0	Capture brief details of the reasons for adoption / amendment
2.		
3.		