

LOCAL PLANNING POLICY

POL-LP-2.6 Parking of Commercial Vehicles



1. Objective

This policy aims to ensure that:

- a) The City assists in facilitating owner-operators of commercial vehicles being able to safely and securely park their vehicles in an appropriate location;
- b) The parking of commercial vehicles on residential and rural landholdings occurs in a manner that minimises the impact on local amenity and public safety; and
- c) The provisions for the parking of commercial vehicles outlined within the Scheme are consistently interpreted by all relevant stakeholders.

2. Legislative Framework

This policy has been endorsed as a Local Planning Policy under clause 2.4 of *Local Planning Scheme 17*.

3. Definitions

“Commercial Vehicle” means a vehicle, whether licensed or not, which is rated at a gross vehicle mass of greater than 4.5 tonnes and which is used or designed for use in association with a business or trade, and for the removal of doubt includes the following vehicles above that mass:

- i. Any rigid (non-articulated) vehicle, including any utility, van, truck, bus, tractor or earthmoving equipment; and
- ii. Any Prime Mover;

in addition to any trailer or similar article specifically designed to be an attachment to a vehicle which is rated at a gross vehicle mass of greater than 4.5 tonnes.

“Transport Depot” means premises, or a portion of premises, used for the parking or garaging of commercial vehicles, and:

- i. may include the maintenance and refuelling of those vehicles and the storage of goods brought to the premises by those vehicles, provided that those activities are ancillary to the parking or garaging of the commercial vehicles; and
- ii. may include the transfer of goods or persons from one motor vehicle to another.

“Building Envelope” means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.

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4. Policy Statement

The parking of commercial vehicles by owner-operators at their place of residence is often preferred by commercial vehicle operators, as it offers greater convenience, safety and security. Whilst the parking of commercial vehicles at a place of residence 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 rural and residential areas of the City of Swan, and assist in interpreting and implementing the relevant provisions of *Local Planning Scheme No. 17*.

4.1. Interpretation of Commercial Vehicle Parking Provisions

4.1.1. For the purpose of an assessment under clause 5.10 of *Local Planning Scheme No. 17* the City of Swan will interpret the definition of a 'Commercial Vehicle' to explicitly exclude the following vehicles, regardless of their gross vehicle mass:

- a) Utility vehicles and 4WD's that are not specifically designed or used for a commercial purpose;
- b) Any farm equipment where this is parked on a 'Rural' zoned property, including tractors, earth moving equipment and any similar vehicles that are considered to be ancillary to an approved use on that lot;
- c) Caravans, Campervans, Motor homes and similar recreational vehicles that are for the personal use of an occupant of the subject lot;
- d) Non-terrestrial vehicles, including boats, planes and helicopters;
- e) Any trailer or similar article that is not specifically designed to be an attachment to a vehicle which is rated at a gross vehicle mass of greater than 4.5 tonnes.

4.1.2. A planning application for the parking of commercial vehicles under clause 5.10 will be required where the proposed parking of that commercial vehicle:

- a) Is not considered to be used primarily for the purpose of work on the lot on which it is parked or garaged;
- b) Has not been considered and approved either directly or as an ancillary component to a previous planning application;
- c) Will occur for a period greater than the duration outlined in clause 5.10.3b); or
- d) Has not been exempted under Schedule 5 of *Local Planning Scheme No. 17*.

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4.1.3. If an application is considered for the parking of a commercial vehicle that does not meet the criteria outlined in clause 5.10.5 of *Local Planning Scheme No. 17*, the parking of that commercial vehicle(s) will be determined under the use class of 'Transport Depot'.

4.2. Discretion under clause 5.10.6 a) of Local Planning Scheme No. 17

Where an applicant requests Council to exercise discretion under clause 5.10.6 a), the subject lot must have an area no less than 10% of the relevant lot size threshold outlined in Column 3 of Schedule 14.

4.3. Commercial Vehicle Parking Standards

A commercial vehicle parked on a subject lot is to be located:

- a) Behind the building setback line where the lot is located within the 'Residential' zones; or
- b) Within or behind the building envelope of a lot within any of the 'Rural' zones,

unless an applicant can demonstrate that the commercial vehicle will be sufficiently screened to reduce its impact on the streetscape and adjacent properties.

4.4. Application Requirements

In the submission of an application for the parking of commercial vehicles under clause 5.10 of *Local Planning Scheme No. 17* an applicant is required to clearly outline:

4.4.1. The type(s) of commercial vehicles that are proposed to be parked on the subject site.

4.4.2. A map of the subject site which is annotated to clearly outline:

- a) The area where the commercial vehicles are to be parked;
- b) The access and egress points that will be used by the commercial vehicle operator;
- c) The route used to access the commercial vehicle parking area;
- d) The existing or proposed mechanisms to screen the parked commercial vehicle from the street and adjacent properties; and
- e) The distance to adjacent residences from the vehicle access route and parking area.

4.4.3. The primary route and any alternate routes taken by the commercial vehicle operator within the local road network to access the subject site.

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4.4.4. The operating hours of the commercial vehicle(s), including the vehicle start up time(s), departure time(s) and arrival time(s) on a daily and weekly basis.

4.5. Conditions of Approval

An approval granted under clause 5.10 may be subject to specific conditions which will ensure that the amenity and safety of the wider community is protected, including the following:

- 4.5.1. An approval may be limited to operate for a specific time period in the case where Council considers that the parking of the commercial vehicles can occur without land use conflict at present but may require review at a later date due to proposed land use changes and development within a locality.
- 4.5.2. An approval may restrict the location in which a commercial vehicle may be parked on a lot in the case where the parking of a commercial vehicle in alternative locations is considered likely to cause undue impact on neighbouring properties.
- 4.5.3. An approval may require visual screening to be established on a lot in the case where the parking of a commercial vehicle is considered to have a detrimental impact upon adjoining residences or the local streetscape.
- 4.5.4. An approval may require restrictions on the movement of a commercial vehicle to and from a subject lot with a area of less than 1.0 hectares to reduce its affect on the amenity of local residents.

Governance References

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

Policy Administration

Business Unit Name		Officer Title		Contact:
Insert B.U. Name		Insert Officer Title		Insert contact Ph#
Risk Complexity Classification	Insert #	Review Frequency	Annual / biennial / triennial	
		Next Due	20??	

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.		