



LPP 2.1

POLICY STATEMENT: COMMERCIAL VEHICLE PARKING

REASON: To provide guidance on the assessment and determination of applications for planning approval for commercial vehicle parking within the City's Rural and Residential zones.

POLICY

1. OBJECTIVES

- 1.1 To provide opportunities for the parking of commercial vehicles of more than 1.5 tonnes carrying capacity in a manner that does not detrimentally impact on the amenity of the surrounding area.
- 1.2 To provide criteria that will assist in the consideration of applications for commercial vehicle parking.
- 1.3 To define the difference between the land uses "Commercial Vehicle Parking" and a "Transport Depot", as defined by Town Planning Scheme No. 6 (TPS 6).

2. APPLICATION OF POLICY

- 2.1 This Policy applies to all applications for parking of commercial vehicles on privately owned land zoned Residential, Residential Development, Special Rural or General Rural under the City's Town Planning Scheme No. 6 (TPS 6).
- 2.2 The Policy applies to commercial vehicles parked on a property that are intended to be parked on the lot on a regular or routine basis.
- 2.3 This Policy does not apply to the parking of commercial vehicles on Rural zoned land that are solely used within the property or in connection with a lawful rural activity conducted on the subject lot.
- 2.4 This Policy recognises that previously approved commercial vehicle parking activities and non-conforming uses that involve commercial vehicles continue to be carried out within the district. Nothing in this Policy modifies the terms and conditions of approved activities or recognised non-conforming uses. The Policy will however guide Council in determining any proposal to amend the terms and conditions applicable to these activities and to new commercial vehicle parking proposals.
- 2.5 Where the subject property is zoned Residential or Residential Development under TPS 6 and is within an area identified for density development under the City's TPS 6, Local Housing Strategy, or an adopted Outline Development Plan, the approval (if issued) shall be for a limited time period. A fresh approval shall be required if the applicant wishes to continue the activity beyond the expiry date.
- 2.6 Where the property is located within the Maddington Kenwick Strategic Employment Area (MKSEA), the Council will have regard to the ultimate future use of the land in its consideration of applications.



3. INTERPRETATION

- 3.1 Commercial Vehicle Parking is the parking of a Commercial Vehicle on a site, where that vehicle is driven by an occupant of a dwelling on that site as part of their occupation.
- 3.2 Land upon which a Commercial Vehicle is parked, where that vehicle is not driven or towed by an occupant of a dwelling on that site as part of their occupation, shall be deemed as being used as a Transport Depot and the permissibility of that land use shall be as per TPS 6.
- 3.3 Reference to a "truck" means a commercial vehicle that is self-propelled.
- 3.4 Reference to a "trailer" means a commercial vehicle that is not-self propelled and is generally towed by a truck.
- 3.5 Reference to a "C-class truck" means a truck that can be driven with a Western Australian C-class driver's licence (that is, a vehicle with a gross vehicle mass up to 4.5 Tonnes or equipped to carry up to 12 persons).

4. ACCOMPANYING INFORMATION

- 4.1 Applications for approval of commercial vehicle parking must be lodged in the form of a Development Application and be accompanied by the following information:
 - a) Completed application form (Schedule 6 of Town Planning Scheme No. 6).
 - b) A plan to a scale of not less than 1:500 showing lot boundaries and the location of the dwelling, outbuildings, driveway, proposed parking location and intended vehicle screening measures.
 - c) Vehicle description (type, make and age of vehicle/s).
 - d) Vehicle registration number/s.
 - e) Tare and aggregate weights.
 - f) Vehicle height and length.
 - g) A photograph showing the location where the vehicle is proposed to be parked.
 - h) Photographs of the front, side and rear of the vehicle/s to be parked on the property.
 - i) 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 main functions of the vehicle.
 - j) A copy of the driver's licence of each person that will drive the commercial vehicle/s, clearly identifying their registered residential address.



- k) Payment of the required application fee.

5. ASSESSMENT CRITERIA

Applications for commercial vehicle parking will be determined in accordance with the following provisions, which must be read in conjunction with Table 1 – Commercial Vehicle Parking Criteria:

- 5.1 Commercial vehicle parking that complies with all of the criteria outlined in Column - A of Table 1 for the applicable zone will be assessed without undertaking public consultation.
- 5.2 Column - B of Table 1 stipulates the extent of variation that will result in the application being advertised for public comment prior to being determined. In making its determination on such applications, Council will have regard to:
- (a) the extent of variation being sought,
 - (b) the nature of submissions received and whether they raise valid planning considerations, and
 - (c) whether the issues raised in submissions can be addressed or overcome through the imposition of appropriate conditions on any approval granted.
- 5.3 Commercial vehicle parking applications that fall within one or more of the criteria outlined in Column - C of Table 1 will generally be refused.
- 5.4 The intended frequency of movement of the vehicle to its parking location should not unreasonably impinge on the function or prevailing traffic conditions in the locality.
- 5.5 The suitability of the local road network to accommodate the proposed parking activity and associated traffic movement, as determined by the City's Infrastructure Directorate.
- 5.6 The intended arrival and departure times for the vehicle should not unreasonably impinge on the amenity of the area.

6. CONDITIONS

Where a commercial vehicle parking application is approved, Council may impose conditions relating to any or all of the following:

- a) Restricting the hours during which the vehicle may be started (including the length of any idling time) and enter or leave the property.
- b) The approval being personal to the applicant and not transferable or assignable to any other person or property.
- c) Restricting the nature and extent of any cleaning or servicing of the Commercial Vehicle on the property.



- d) Prohibiting the Commercial Vehicle being laden when parked on the property, or restricting the nature of any item, equipment, goods or material that may be carried by the Commercial Vehicle when parked on the property.
- e) Prohibiting persons other than the designated occupants of the dwelling on the property driving the Commercial Vehicle to or from the property.
- f) Requiring the Commercial Vehicle to be parked in its designated location at all times when on the property, unless otherwise required for any permitted cleaning or servicing.
- g) An expiry date at which time the approval will lapse.

GOVERNANCE REFERENCES

Statutory Compliance	Planning and Development Act 2005 City of Gosnells – Town Planning Scheme No.6
Industry Compliance	Development Control Policy 1.2 – Development Control – General Principles 2004
Organisational Compliance	Nil
Process Links	Nil

LOCAL PLANNING POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
Planning & Sustainability		Manager Planning Implementation		9397 3000	
Risk Rating	High	Review Cycle	Annual	Next Due:	2012
Version	Decision To Advertise	Decision to Adopt	Synopsis		
1.	PSC18/5/1996		Proposed		
2.		OCM 137/6/1996	Adopted – Policy No. 5.2.20		
3.		OCM 988/11/99	Amended – Policy No. 5.2.20		
4.		OCM 696/22/8/00	Reviewed – Policy No. 5.2.20		
5.		OCM 715/28/08/01	Reviewed – Policy No. 5.2.20		
6.	797/24/09/02		Advertised for 21 days – request for change in OCM 743/10/09/2002. New definition, revised criteria.		
7.		2002	Policy No. changed to 6.1.20		
8.		OCM 124/25/02/2003	Reviewed without any changes – Policy No. 6.2.4.1		
9.		OCM 192/10/5/2005	Amended		
10.		OCM 412/26/08/2008	Reviewed		
11.	OCM 540/10/11/2009		Draft policy to be advertised for public comment for a period of not less than 21 days.		
12.		OCM 110/23/03/2010	Revoked 6.2.4.1 due to major revision		
13.		OCM 111/23/03/2010	Revised criteria with greater level of information for applicants and affected residents. Policy No. changed to LPP 2.1		
14.	OCM 265/28/06/2011		Draft policy to be advertised for public comment for a period of not less than 21 days.		
15.		OCM 486/25/10/2011	To provide further guidance and clarification on the determination of commercial vehicle parking applications.		



TABLE 1 – COMMERCIAL VEHICLE PARKING CRITERIA

Column – A Acceptable	Column – B Variation subject to Advertising	Column – C Unacceptable
1.0 Universal Criteria – Policy applies to vehicles of more than 1.5 tonnes carrying capacity.		
1.1A The commercial vehicle(s) shall only be driven by a person who is a bona fide registered occupant of a dwelling on the subject lot in any area.	1.1B Within the MKSEA, one vehicle may be approved for use by a non-family member of the occupier of the property.	1.1C Commercial vehicle parking that does not comply with criterion 1.1A or 1.1B.
1.2A In a Residential zone, the commercial vehicle should be parked within an approved outbuilding or garage on the lot, unless it is: i) Parked a minimum of 6 metres from the street, and placed so as not to dominate the street façade of the residence. ii) Parked a minimum of 6 metres from the nearest point of any dwelling on an adjoining lot or, in the case of a vacant adjoining lot, setback a minimum of 3 metres from the nearest vacant lot boundary.	1.2B In a Residential zone, the commercial vehicle is suitably screened from view of adjoining properties and the street, setback a minimum of 3 metres from the nearest point of any dwelling on an adjoining lot or, in the case of a vacant adjoining lot, setback a minimum of 2 metres from the nearest vacant lot boundary.	1.2C Commercial vehicle parking that does not comply with criterion 1.2B.
1.3A In a Rural zone, the commercial vehicle must be parked: i) behind the house; and ii) a minimum of 10 metres from the nearest point of any dwelling on an adjoining lot or, in the case of a vacant adjoining lot, parked a minimum of 6 metres from the nearest vacant lot boundary; and iii) so as to be able to arrive at and leave from the site in a forward gear.	1.3B In a Rural zone, the commercial vehicle must be parked: i) so as to be setback a minimum 6 metres from the street boundary. ii) so as to be setback a minimum of 7 metres from the nearest point of any dwelling on an adjoining lot or, in the case of a vacant adjoining lot, setback a minimum of 4 metres from the nearest vacant lot boundary. iii) No variation permitted.	1.3C In a Rural zone: i) vehicles that are parked within the front setback and not screened from the view of the street or immediate neighbouring properties. ii) vehicles that are parked less than 7 metres from an adjoining dwelling. iii) vehicles that cannot leave the site in a forward gear.



Column – A Acceptable	Column – B Variation subject to Advertising	Column – C Unacceptable
2.0 Minimum Lot Size Criteria		
2.1A In a Residential or Residential Development zone, the subject lot should be a minimum of 700m ² for intermediate lots and 650m ² for corner lots.	2.1B In a Residential zone subject lots of more than 500m ² but less than the criteria specified in 2.1A.	2.1C Subject lots of less than 500m ² in a Residential zone.
2.2A In Rural zones, the subject lot should have an area of 1.5 hectares or more.	2.2B Subject lots of more than 4,000m ² but less than 1.5 hectares in a Rural zone.	2.2C Subject lots of 4,000m ² or less in a Rural zone.
3.0 Vehicle Size Criteria		
3.1A In a Residential zone: i) One C-class truck; or ii) One C-class truck plus one trailer, providing that no truck or truck/trailer combination exceeds 8 metres in length and 3 metres in height, providing that no truck or trailer exceeds 8 metres in length and 3 metres in height.	3.1B In a Residential zone: i) One C-class truck, or ii) One C-class truck plus two trailers, providing that no truck or truck/trailer combination exceeds 10 metres in length and 3 metres in height.	3.1C Commercial vehicle parking that does not comply with criteria 3.1B.
3.2A In a Rural zone: i) one or two commercial vehicles, each not exceeding 8.5 metres in length; or ii) one truck (with or without one trailer) not exceeding 18.5m in total length.	3.2B In a Rural zone, up to three trucks and three trailers, where any truck, or any truck/trailer combination does not exceed a total of 20 metres in length.	3.2C i) Commercial vehicle parking that does not comply with criteria 3.2B. ii) Any semi-trailer with a second trailer attachment (B Double or Road Train).