



SHIRE OF DONNYBROOK BALINGUP

Town Planning Policy

9.15 Commercial Vehicle Parking

1. Objective

To facilitate the controlled parking of commercial vehicles on private property in Residential and Rural Residential zones in a manner that does not detrimentally impact on the amenity and safety of the surrounding community.

2. Definition

“Commercial vehicle” means a vehicle, whether licensed or not, which is used or designed or intended for use in conjunction with a profession, trade or business and, without limiting the generality of the foregoing, shall include trailers, tractors and their attachments, buses and earthmoving machines, whether self-propelled or not, but shall not include a passenger car, a derivative [as defined by the Vehicle Sale Regulations 1976 (as amended)], or a van, utility or light truck, which is rated by the manufacturer as being able to carry loads of up to 1.5 tonnes.

3. Application of Policy

3.1 No commercial vehicle is permitted to remain on privately-owned land within the Residential and Rural Residential zones for a longer period than is necessary for loading or unloading unless the Council has issued a Planning Approval permitting the parking of such a vehicle.

3.2 As commercial vehicle parking is not mentioned in the list of use classes in the Zoning Table and is not included in the general terms of any use class in the Zoning Table, Council in dealing with an application for Planning Approval may:

- a) determine that the use is not consistent with the objectives of the relevant zone and is therefore not permitted; or
- b) determine by absolute majority that the proposed use is consistent with the objectives of the relevant zone and thereafter cause the application to be exhibited for public comment in accordance with the procedure set out in Clause 4.18.2 of the Scheme.

4. Assessment Criteria

4.1 Residential Zones



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- a) The vehicle, together with the load thereon, should not exceed 2.7 metres in height.
- b) Vehicle to be housed within a domestic garage and/or parked behind the front building setback line, with the vehicle being screened from the street and surrounding properties by a screen fence or adequate landscaping.
- c) The parking of a commercial vehicle shall not, in the opinion of Council, adversely affect the amenity of the surrounding land.
- d) At least five (5) of the following six (6) performance standards being satisfied:
 - the property accommodating residential development at a density no greater than an R5 density (i.e. max. 1 dwelling per 2000m²); the vehicle to be housed within a domestic garage;
 - the load on the vehicle is to be of a height which ensures that the vehicle together with its load does not exceed 2.7m in height;
 - not more than one commercial vehicle to be parked on a lot;
 - the vehicle forms an essential part of the occupation of an occupant of the dwelling; and
 - no valid objections from surrounding residents /landowners.

4.2 Rural Residential Zone

- a) Vehicle(s) to be housed within a domestic garage, outbuilding and/or parked behind the front building setback line, with the vehicle being screened from the street and the surrounding properties by a screen fence or adequate landscaping.
- b) The parking of a commercial vehicle shall not, in the opinion of the Council, adversely affect the amenity of the surrounding land.
- c) At least four (4) of the following five (5) performance standards being satisfied:
 - not more than one (1) commercial vehicle to be parked on a lot zoned Rural Residential unless in the opinion of Council special circumstances warrant relaxation of the permissible number of vehicles;
 - the vehicle(s) to be housed in a domestic garage or outbuilding;
 - the vehicle forms an essential part of the occupation of an occupant of the dwelling;
 - the vehicle is necessary for the use and management of the lot;
 - no valid objections from surrounding residents/landowners.

5.1 Conditions

Where Council grants approval for the parking of commercial vehicle(s), the following conditions may be applied:



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- a) that on-site provision for housing the vehicle in a garage, outbuilding or parking behind the front building setback line is made and the vehicle is screened from the street and surrounding properties in a manner satisfactory to the Council;
- b) that the amenity of the neighbourhood is not prejudicially affected by the emission of light, noise, vibration, smell, fumes, smoke or dust;
- c) no repairs or activities are undertaken on Residential or Rural Residential blocks that create the issues identified in (b) above;
- d) the approval shall be personal to the applicant and neither run with the land nor be transferable or assignable to any other person;
- e) the vehicle is not to be brought to or taken from the land between the hours of midnight and 6 am;
- f) that if, in the opinion of the Council, a nuisance or annoyance to the owners or occupiers of land in the neighbourhood is caused, the Council may revoke its approval;
- g) any other conditions the Council thinks necessary or desirable.

Adopted:	24 October 2007
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