

Policy Number: Local Planning Policy No. 19
Policy Title: Parking of Commercial Vehicles

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. 19 – Parking of Commercial Vehicles.

2. Policy Statement

The purpose of this Policy is to set out the objectives and policy provisions / criteria which the Town shall have due regard to in the assessment and determination of applications for Commercial Vehicle Parking, having regard to Clause 4.7.11 of Local Planning Scheme No. 10.

3. Policy Objective

To provide opportunities for the parking of commercial vehicles in a manner that does not detrimentally impact on the amenity of the surrounding area.

4. Application

This policy applies to all applications for the parking of Commercial Vehicles with a combined tare weight of greater than three tonnes, on land zoned Residential, Town Centre or Local Shopping.

5. Definitions

Commercial Vehicle: *means a vehicle whether it is licensed or not and which is used in conjunction with a trade of profession and shall include trailers, tractors and their attachments, buses and earth moving machines whether self-propelled or not but shall not include a passenger car derivative as defined by the Vehicle Sales Regulations 1976 (as amended), a van, utility or light truck which is rated by the manufacturer as being suitable of carrying loads of up to 1.5 tonnes.*

Commercial Vehicle Parking: *means premises used for parking of one or two commercial vehicles but does not include:*

- (a) any part of a public road used for parking or for a taxi rank; or*
- (b) parking of commercial vehicles incidental to the predominant use of the land.*

6. Policy Requirements

6.1 Consultation

- (a) All applications for development approval for the parking of a commercial vehicle (or vehicles) that involve variations to the requirements of this Policy will be subject to community consultation prior to determination.
- (b) Community consultation will be for a period of 14 days and will involve advertising to nearby landowners that, in the opinion of the assessing officer, may be impacted by the proposal.

6.2 On-site Parking and Access

- (a) On land zoned Residential, a commercial vehicle may be parked on a property containing a single house only, and not as part of a grouped or multiple dwelling (strata) development.
- (b) The commercial vehicle must be parked entirely within the property behind the building setback line, unless otherwise screened from view of the street and from neighbouring properties.
- (c) Access to the property on which the commercial vehicle is to be parked is to be via a crossover that has been constructed to the Town's specifications.
- (d) Commercial vehicle parking shall not preclude domestic passenger vehicles from parking at the property.
- (e) 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.
- (f) The traffic movements associated with the commercial vehicle must not exceed the capability and capacity of the local road network, as determined by the Town.

6.3 Use and Movement

- (a) On land zoned Residential, no commercial vehicle is to be brought to or taken from the property between 9:00pm and 7:00am.
- (b) The parking of a commercial vehicle that is, or has been, used for the transportation of animals, liquid wastes, or other dangerous, hazardous or contaminated substances (which either requires a special permit for their transportation, or which if spilled or discharged from the vehicle, would cause pollution or pose a danger or threat to the health of inhabitants of the locality), is not supported.
- (c) Vehicle loads and equipment must not be stored separately on-site.
- (d) The parking of a commercial vehicle shall not detrimentally impact on the amenity of neighbouring properties, the streetscape and/or the surrounding area, including by way of noise, fumes, odours and/or visual impact.

6.4 Conditions of Development Approval

Where an application for Commercial Vehicle Parking is approved, the Town 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) Major repairs are not to be undertaken on the property and any minor repairs, servicing or cleaning of the commercial vehicle shall be carried out in areas which are screened from view from the property.
- (h) Activities such as spray painting, panel beating or mechanical repairs that have the potential to adversely impact upon the amenity of the locality by the emission of noise, odours, by-products or otherwise, are not permitted.

Document Control

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Business Unit	Development and Place
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