

POLICY REGISTER

Title:	Parking of Commercial Vehicles on Private Property		
Policy No.:	DEV22		
Date Adopted:		Date Last Reviewed:	16 August 2004

Objective:	To provide guidelines for the assessment of applications for the parking of a commercial vehicles on private property.
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This Policy relates to the Keeping or Parking of Commercial Vehicles on private property in the Shire of Kalamunda.

"Commercial Vehicle" means a vehicle whether licensed or not and shall include motor propelled caravans, trailers, semi-trailers, earth moving machines whether self propelled or not, motor wagons, buses and tractors and their attachments but shall not include any, motor car or any vehicle whatsoever the weight of which is less than 3,500 kg.

The "keeping" or "parking of a Commercial Vehicle" means the parking of a Commercial Vehicle for more than 2 consecutive hours or for a longer period than is necessary to load and unload, or for a longer period than is necessary to complete a related service being rendered to the property.

A "residential lot" means a lot predominantly used for residential purposes, as decided by Council.

"Affected landowners" means those landowners considered to be affected by a proposal to park a Commercial Vehicle, as decided by Council.

- For the purpose of this Policy, any vehicle, the tare weight of which is less than 3,500 kg is not considered to be a "Commercial Vehicle".
- In all Industrial zones, the Rural Agriculture, Rural Conservation, Rural Landscape Interest, Rural Composite zones, the keeping of Commercial Vehicles is permitted, without the need for approval if the use is in respect of approved industrial or Agricultural/Horticultural operations.
- If the vehicle is not associated with the approved activity as outlined above, approval for the parking of commercial vehicles in the abovementioned zones is required.
- Only one Commercial Vehicle will be considered, within applicable zones, where the lot is less than one hectare in area. A maximum of two commercial vehicles will be considered, within applicable zones, where the lot is greater than one hectare in area. The number of commercial vehicles permitted in the Mixed Use and Special Use zones shall be in accordance with the applicable Scheme provisions.
- The Commercial Vehicle must be parked on the lot so that it does not interfere with the normal access and egress of other vehicles and does not cause damage to the road, kerb or footpath. Where possible, vehicles shall be parked such that they do not need to be reversed out.
- Spray-painting, panel-beating and major servicing on the Commercial Vehicle will not be permitted on the lot. Maintenance limited to oil and grease changes and changes of wheels (but not repair of tyres) and other minor maintenance as approved by Council.
- Washing of the Commercial Vehicle on the lot is to be limited to the use of water and mild detergent, and excludes the use of any solvents, degreasing substances, steam-cleaning and any other processes.
- The Commercial Vehicle shall only be started or manoeuvred on the lot in such manner and at such times as approved by Council, being consistent with the provisions of the Environmental Protection (Noise) Regulations. Standard vehicle movement and start up times of between 7.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm on Sundays and public holidays shall apply, or as approved by Council. The idling times for start up and cool down on the property shall be restricted to 5 minutes

unless otherwise approved by Council.

- Maintenance and cleaning of the Commercial Vehicle on a residential lot to be permitted only between the hours of 8am and 7pm Monday to Saturday and 9am to 6pm Sunday.
- A single unit Commercial Vehicle and, or trailer, which is or has been used to transport livestock or hazardous material, shall not be parked on a residential lot.
- A refrigeration unit fitted to a Commercial Vehicle parked on or abutting a residential lot may not be operated whilst the vehicle is on the lot.
- Council will give consideration to the weight of the Commercial Vehicle in terms of the design capabilities of the affected road surface, kerb, footpath or crossover.
- Where a Commercial Vehicle owner who has been granted Council approval to park a vehicle on a lot damages a road, kerb and/or footpath when entering or leaving the lot, the vehicle owner shall be held responsible by Council for the cost of repair.
- Council will seek opinions from affected landowners before any decision on the application is made. All applications will be considered in the light of any potential impact the proposal is likely to have on amenity, in terms of the neighbourhood in general or nearby lots in particular.
- If a Commercial Vehicle owner, who has been granted Council approval to park a vehicle on a lot, wishes to replace the vehicle with another Commercial Vehicle, a further application to Council is required, except where the vehicle is of the equivalent tare weight or less, providing all conditions on the previous approval are complied with. In such cases, only notification and submission of a photograph of the new Commercial Vehicle to Council is required by the owner.
- Approval to park a commercial vehicle on a lot shall apply to the applicant only on the lot the subject of the application and shall not be transferred to any other person.
- Council reserves the right to amend the conditions of an approval or to revoke an approval (i) as a result of a justified complaint received, or (ii) due to changes (or potential changes) of the zoning of the subject or nearby land.
- In issuing an approval or a refusal for the keeping or parking of a Commercial Vehicle on private property, the applicant's attention shall be drawn to the separate matter of parking on the road verge and the road carriageway, and the need for compliance with the Council's Parking local laws and the Road Traffic Act.

CROSS REFERENCES (If any):

Management Practice No.		Delegation No.:	
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LEGAL REFERENCES

Legislation:	
Local Law:	

Notes:	Previously Policy PS 1.4
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