

# SHIRE of SWAN

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## POLICY

T4.3

### COMMERCIAL VEHICLE PARKING IN RESIDENTIAL & RURAL ZONES

#### PURPOSE

To establish a policy on Commercial Vehicle Parking in Residential and Rural Zones.

#### DEFINITION.

"Commercial Vehicle" means a vehicle whether licenced or not and which is used in conjunction with a trade or 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 to carry loads of up to 1.5 tonnes.

#### POLICY

Commercial Vehicle Parking is not permitted, without the approval of Council, in all residential zones except Residential 1 zone where a maximum of one commercial vehicle is permitted on lots exceeding 1000m<sup>2</sup> in area, provided that :-

(1) The proposal complies with the following:

An owner of land within any Residential Zone to which this Part applies shall ensure that no more than one commercial vehicle is parked or allowed to remain stationary on any residential lot owned by him. An owner of land within a Residential Zone shall further ensure that:

- a) any commercial vehicle is housed in a domestic garage or other domestic outbuilding or effectively screened from view from outside the boundaries of the subject land;
- b) any commercial vehicle which exceeds 8 metres in length or, due to size or load, is not capable of being completely housed within a domestic garage or other domestic outbuilding have a maximum floor area of 50 square metres, is effectively screened from view from outside the boundaries of the subject land;
- c) no commercial vehicle exceeding 2.7 metres in height or 16 metres in length is so parked or allowed to remain stationary;
- d) no commercial vehicle is brought to or taken from the subject land between the hours of midnight and 6.00 a.m. on any day;
- e) no commercial vehicle is so parked or allowed to remain stationary unless its use is essential to the occupation or business of an occupier of a dwelling on the subject land;

- f) the subject land is not used for carrying out repairs, servicing or cleaning of any commercial vehicle other than minor repairs, servicing or cleaning which in any event may only be carried out while the vehicle is housed in a domestic garage or other domestic outbuilding, or otherwise completely screened from view from outside the boundaries of the subject land.
  - g) The motor of the commercial vehicle is not left operating while unattended or on any other occasion not exceeding 5 minutes.
  - h) Storage of liquid fuels is not to exceed a maximum of 250 litres and may require appropriate fire protection, bunding and ventilation. All fuels are to be screened from view and stored at least 7 metres from dwellings.
  - i) The loaded commercial vehicle can be appropriately screened from view of all boundaries. An unladen commercial vehicle used for transporting livestock is thoroughly washed and cleaned off-site prior to parking on the lot.
- (2) Notwithstanding Clause 6.3.5 of the Scheme, Approval to Commence Development is granted by the Executive Manager of Planning and Development under delegated authority of Council.
  - (3) An application to park a commercial vehicle on a property must be referred to adjoining and adjacent landowners/occupants, inviting written submissions on the proposal within 14 days from the referral notice date. Where submissions are received, the proposal shall be referred to the relevant Ward Member(s) for a final decision.
  - (4) Approval to park a Commercial Vehicle is limited to the person to whom it was granted and cannot be transferred to another person or lot nor does it run with the land the subject of the approval notice.
  - (5) Should the parking of a Commercial Vehicle fail to comply with the condition of approval to commenced development, and in the opinion of Council, the offending vehicle is adversely affecting the amenity of the surrounding residents or owners in the neighbourhood, Council reserves the right pursuant to Clause 2.3.10 of the Scheme to rescind its approval. Where approval is revoked, an owner of the land shall not park or allow to be stationary a commercial vehicle unless subsequently granted by Council.
  - (6) Accompanying an application for to park a Commercial Vehicle, the applicant is required to provide the following:
    - a) A detailed letter outlining the proposal's compliance with the above mentioned policy requirements.
    - b) A site plan indicating the area where it is proposed to park the Commercial Vehicle.
    - c) A photograph of the front and side elevations of the vehicle and front view of the residence.
  - (7) Where in the opinion of Council the Commercial Vehicle is not essential to the rural activities associated with the property, an application for approval to commenced development is required on those lots less than 3.0 ha in area and will be assessed generally in accordance with the above policy.

**Adopted: January 1993**