

Commercial and Recreational Vehicle Parking Local Planning Policy

Responsible Directorate: Planning and Community Development

Objectives:

- To ensure that the number, size and location of commercial and recreational vehicles parked in association with a dwelling does not have a detrimental impact upon the amenity of the surrounding local area or streetscape.
- To ensure that the dwelling is the dominant feature of the lot and the commercial or recreational vehicle does not detract from the casual surveillance of the street from the dwelling, or unduly obscure the view of the dwelling from the street.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to the parking of Commercial or Recreational Vehicles on private property in association with a dwelling.

3. Definitions:

“**Amenity**” means all those factors which combine to form the character of the area to residents and passers-by and shall include the present and likely future amenity.

“**Commercial vehicle**” as defined within *Local Planning Scheme No. 3* means a vehicle, whether licensed or not, that has a gross vehicle mass of greater than 4.5 tonne including:

- (a) a utility, van, truck, tractor, bus or earthmoving equipment;
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

“Recreational vehicle” as defined within *Local Planning Scheme No. 3* means a vehicle used, designed or modified for recreational use, mobile accommodation or similar purposes and without limiting the generality of the foregoing includes a:

- boat
- mobile home
- caravan
- campervan
- camper trailer
- wheeled attachment to any of the above which is rated by the manufacturer as being suitable to carry loads of more than 1.5 tonnes.

“Scheme” means the *City of Joondalup Local Planning Scheme No. 3*.

4. Details:

4.1 Commercial Vehicle Parking

4.1.1 As provided for within Schedule A of the scheme, the parking of one commercial vehicle in accordance with the provisions set out in the following paragraphs of this clause is exempt from the requirement to obtain development approval:

- (a) the vehicle is parked entirely on the subject lot and is located on a hard standing area which is located behind the front of the dwelling (or the side of the dwelling where a secondary street is applicable), or alternatively the vehicle is parked within a garage;
- (b) the vehicle does not exceed three metres in height (including the load), 2.5 metres in width, or eight metres in length;
- (c) the vehicle is not started or manoeuvred on site between the hours of 10.00pm and 6.00am the next following day;
- (d) while on the lot, the vehicle’s motor is not left running while the vehicle is unattended or in any event for any period in excess of five minutes;
- (e) the vehicle is not used to carry livestock or hazardous materials;
- (f) the vehicle is not carrying a refrigeration unit which is operating on a continuous or intermittent basis;
- (g) while on the lot, no repairs, servicing or cleaning of the vehicle is permitted unless minor and not carried between the hours of 7.00pm to 7.00am.

4.1.2 A vehicle shall be considered to be parked on a lot for the purpose of this clause if it remains on that lot for more than three hours in aggregate over any period of 24 hours unless the vehicle is being used bona fide in connection with ongoing construction work legally being carried out on the lot, the burden of proving which shall lie upon the person asserting it.

4.2 Recreational Vehicle Parking

4.2.1 As provided for within Schedule A of the scheme, the parking of one recreational vehicle in accordance with the provisions set out in the following paragraphs of this clause is exempt from the requirement to obtain development approval;

- (a) the vehicle does not exceed three metres in height, 2.5m in width or eight metres in length;
- (b) the vehicle is parked entirely on the subject lot and is located on a hard stand area behind the front of the dwelling (or the side of the dwelling where a secondary street is applicable) or alternatively be parked within a carport or garage;
- (c) while on the lot, no repairs, servicing or cleaning of the vehicle is permitted unless minor and not carried out between the hours of 7.00pm and 7.00am.

4.3 Requirement for Development Approval

4.3.1 In the event that the proposed parking of a Commercial or Recreational Vehicle does not meet all provisions of clauses 4.1 and/or 4.2 respectively, an application for development approval is required. Any application for development approval will be assessed against the objectives of this policy.

4.3.2 Where the City considers there may be a possible impact on the amenity of the adjoining owners or occupiers, all new applications or applications for amendments to an existing approval for the parking of a Commercial or Recreational Vehicle shall be advertised for public comment for a period of 14 days, by way of letters to affected adjoining owners and occupiers.

4.3.3 Any development approval granted for Commercial or Recreational Vehicle parking is restricted to the person to whom it is granted, is not capable of being transferred or assigned to any other person, and does not run with the land in respect of which it is granted.

Creation Date: October 2016

Amendments:

Related Documentation:

- *City of Joondalup Local Planning Scheme No. 3.*