

Title: TRUCK & TRANSPORT DEPOTS IN RURAL AREAS POLICY DA-POL-11

Division: Planning

Responsible Officer: Development Control Manager

1. INTRODUCTION

The *Yass Valley Local Environmental Plan 2013* details the list of permissible uses in all rural zones. While most properties in rural areas are used for agricultural purposes and a dwelling house there are a range of other uses permitted with and without Consent. Reference should always be made to the Local Environmental Plan.

The parking heavy vehicles on rural properties has been raising community concerns in relation to the appropriateness of these forms of land uses in rural areas and their compliance with zoning requirements. The concerns include impacts on amenity, character of the locality, road infrastructure and road safety.

Many rural activities involve heavy vehicles, including trucks for the transfer of stock and produce or other heavy equipment for property maintenance. The parking of trucks, earthmoving equipment or other heavy vehicles for use primarily on the rural property on which they are located is considered to be ancillary to the rural use of the land. In these circumstances approval is not required.

Similarly land uses involving trucks, heavy vehicles, machinery or the like and operating as 'home business' or 'home occupation' are permitted without planning approval under the *Yass Valley Local Environmental Plan 2013*.

The *Yass Valley Local Environmental Plan 2013* permits 'truck depot' and 'transport depot' to be established with Consent in certain rural zones. There are no limitations on the size of 'truck depots' or 'transport depots'.

A policy can provide some guidance as to the scale of the activity and the circumstances in which they will be considered.

2. POLICY OBJECTIVES

To provide guidelines for the establishment of truck and transport depot in rural areas.

3. POLICY SCOPE

This policy applies to all land in the rural zones under the *Yass Valley Local Environmental Plan 2013*

4. POLICY PROVISIONS

The scale of 'truck depot' or 'transport depot' can vary between a single heavy vehicle and a large scale fleet operation. The type of vehicles may vary from rigid trucks, prime movers and trailers, agricultural or earthmoving equipment and even a fleet of light vehicles.

For large scale fleet operations (particular those involving heavy vehicles) it is preferred they are located in urban industrial areas with good sealed road access to the Regional and State road networks. However there may be sites in rural zones adjacent to a Regional or State road which may also be appropriate for a large scale 'truck or transport depots'.

Heavy vehicles that are ancillary to the rural use of the land do not require planning approval. However there are some suggested controls to assist with ensuring the vehicles have minimal impact on neighbours. These include:

- Trucks, heavy vehicles or equipment not to be parked within 100m of any residential building on an adjoining property
- Trucks are not to interfere with the amenity of an adjoining property due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise
- Trucks not to be parked on the property if involved in hazardous or dangerous goods transportation

Similarly the parking of heavy vehicles that meets the requirements for a 'home occupation' or 'home business' is of a scale not dissimilar to an ancillary use. In rural zones these activities do not require planning approval

While the definitions of 'home occupation' and 'home business' refer to the activity occurring within a building on the property, for a single truck owner/operator the parking of a truck on the property is considered to be consistent with the intent of the definition provided the nominated criteria can be met.

The parking of heavy vehicles is classified as a 'truck depot' when they fall outside an ancillary use, 'home occupation' or a 'home business'. The scale of 'truck or transport depots' should be linked to the adequacy of the road infrastructure to the property and Council's road standards. Smaller scaled operations may be located on 'access' or 'local – minor' roads, but operations of a larger nature should be located on higher order roads.

The following table summarises the scale of truck/heavy vehicle, fleet vehicles and equipment parking in relation to Council's road standards:

Category	Avg Annual Daily Traffic	No employees (incl residents & non-residents)	No trucks (used at any one time)	Estimated additional heavy vehicle movements per day	% increase in traffic	Pavement width (min)	Seal width
Access	<50	2	2	4	8%	5.5m	5.5m
Local – Minor	51-200	4	4	8	4-16%	7.0m	6.0m
Local – Secondary	201-500	5-10	5-10	10-20	2-10%	8.0m	6.5m
Local – Primary	501-1,000	5-10	5-10	10-20	1-4%	9.0m	7.0m

Notes:

Council's *Roads Standards Policy* requires any new access roads to be sealed. For existing unsealed roads, a requirement to seal the road will be considered upon its merits having regard to the level of traffic, presence of roadside vegetation and the need to suppress dust.

In some situations the road pavement may impact on roadside vegetation. Road side vegetation includes native vegetation and in some instances 'threatened' or 'endangered' vegetation. In these circumstances the road pavement requirement may be varied to protect significant stands of vegetation. The variation will be considered provided there are adequate passing areas with good sight distance

In addition to the adequacy of the road infrastructure, truck and transport depots (other than single owner/operators classified as a 'home occupation' or 'home business') will not

be supported in areas identified in any adopted strategy, planning instrument or Development Control Plan as a:

- Rural residential area
- Buffer/transition area
- Environmental/landscape area
- Biodiversity area involving the need to clear vegetation

4.1. Impacts on Neighbours

In addition to scale and location issues there is the potential for truck parking to impact on neighbours. Council will give consideration to the following matters in any assessment of a truck depot operation.

4.2 Visual

Consideration will be given to visual impacts and any measures to mitigate the impacts.

Storing trucks and equipment in a shed/garage and/or tree landscaping (including mounded areas) may be acceptable solutions.

4.3 Run-off

The wash down of heavy vehicles can impact on neighbours with 'polluted' waters moving on to adjoining properties.

Mitigating measures that may be acceptable could be:

- Installing a facility to collect run-off from any wash down area on site
- Directing any washing of vehicles at an appropriate off-site facility
- Bunding any are used for vehicle maintenance to minimise any accidental run-off/spillage
- Restricting re-fuelling at the site

4.4 Dust

Unsealed roads and driveways may result in dust problems for neighbours. While some dust can be expected in these circumstances consideration should be given to the use of water carts or reducing vehicle speeds. Sealing the road or driveway may be required for larger scale operations

4.5 Noise

Noise can be somewhat of a subjective issue and the sensitivities to neighbours can be varied.

Controls on hours of operation may be a means of minimising any adverse impacts. Impacts are most likely when background noise levels are low and especially when noise intrudes into sleep hours.

But having heavy vehicles on the roads at times when there are few light vehicles can reduce the potential for conflict between the different road users. However this may result in noise intruding into sleep hours.

The following hours are considered appropriate to balance these competing outcomes and to minimise any impacts on neighbours:

- 6.00am to 7.30pm Monday to Friday
- 7.00am to 4.00pm Saturdays

These hours of operation may need to be further restricted if the depot is located on or near any designated school bus route.

4.5 Road Maintenance Costs

Council's *s94 Heavy Haulage Development Contributions Plan* is applicable to truck/transport depots unless the activity is an:

- Extractive industries with less than 5,000m³ of annual output
- Other activities with less than 8,000m³ of material or product annually

4.6. Summary

The following table summarises the requirements for the different scale of truck and transport depot operations in rural areas:

Type	No. of employees	No. of trucks	Requirements	Considerations/Conditions
Ancillary activity	-	-	No approval required	<ul style="list-style-type: none"> • Not within 100m of any residential building on an adjoining property • No interference to the amenity of an adjoining property due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise • No vehicles involved in hazardous or dangerous goods transportation
Type	No. of employees	No. of trucks	Requirements	Considerations/Conditions
Home Business	Maximum 2 (in addition to residents)	1	No approval required	<ul style="list-style-type: none"> • No interference to the amenity of an adjoining property due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise • The exposure to view any unsightly matter • Business Identification Sign only • No sale of items other than goods produced at the property • Not more than 60m² of floor area

Home occupation	Only residents of the property	1	No approval required	<ul style="list-style-type: none"> No interference with the amenity of an adjoining property due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise No display of goods Business Identification Sign only No sale of items by retail
Small scale truck or transport depot	2-4	2-4	Development Consent required	<ul style="list-style-type: none"> Located on an access or local (minor) road Requirements for Home Business (other than floorspace) Development Contributions Plan considered
Type	No. of employees	No. of trucks	Requirements	Considerations/Conditions
Medium scale truck or transport depot	5-10	5-10	Development Consent required	<ul style="list-style-type: none"> Located on a local (secondary or primary) road Requirements for Home Business (other than floorspace) Wider impacts on locality to be considered Development Contributions Plan considered
Large scale truck or transport depot	10+	10+	Development Consent required	<ul style="list-style-type: none"> Urban Industrial Area or Adjacent to a Regional or State road Requirements for Home Business (other than floorspace) Wider impacts on locality to be considered Development Contributions Plan considered

5. REVIEW

The review of this policy will take account of relevant legislation and State Government policies, best practice guidelines and Council plans and priorities.

This policy will be reviewed following each general election of Council and the Director Planning is responsible for arranging the completion of the review.

6. LEGISLATION AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2005*
- Yass Valley Local Environmental Plan 2013
- Roads Standards Policy RD-POL-9

7. DEFINITIONS

Home business means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) The employment of more than 2 persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) The exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) The exhibition of any signage (other than a business identification sign), or
- (e) The sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,
- (f) More than 60m² of floor area

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Home occupation means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) The employment of persons other than those residents, or
- (b) Interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) The display of goods, whether in a window or otherwise, or
- (d) The exhibition of any signage (other than a business identification sign), or
- (e) The sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

Truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

8. RESPONSIBILITIES

Development assessment staff are required to take into account the provisions of this policy in relation to any Development Applications.

9. HISTORY

<i>EMT Review Date</i>	<i>Report to Council</i>	<i>Minute No.</i>	<i>Exhibition Period</i>	<i>Adoption</i>	<i>Rescission Date</i>
	16/12/2015	330		16/12/2015	
	25/10/2017	273		25/10/2017	
11/09/2019	23/10/2019	245		23/10/2019	

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