

# Heavy vehicle parking on residential premises in Logan City

Local Law No. 9 (Licensing) 1999

## This fact sheet outlines Council's local law for the regulation of heavy vehicle parking on residential premises in the City of Logan.

This local law only applies to you if you drive a heavy vehicle (see right) for business purposes and you park the heavy vehicle for a period longer than is necessary for the loading and unloading of the heavy vehicle.

For definitions of terms referred to in this fact sheet, see page 4.

**Note:** The local law for the parking of a heavy vehicle on residential property does not override the respective planning schemes. The total number of heavy vehicles must not exceed the number of vehicles allowed without a development permit under the appropriate planning scheme.

**Note:** Where one heavy vehicle is carried and contained on another heavy vehicle, it is considered to be one vehicle.

## Exemptions to the local law

- Heavy vehicles parked on premises where the lawful primary land use is rural, commercial or industrial land as defined by the planning scheme.
- Heavy vehicles already subject to a current development permit or have lawful non-conforming land use rights under a pre-existing planning scheme.
- A single motor home, caravan or similar used for private recreation and where it's the only such vehicle on the site.
- Emergency and public utility vehicles.
- Council heavy vehicles parked on Council owned or occupied land.
- Heavy vehicles loading/unloading goods for not longer than necessary.

## Heavy vehicle types



**Medium rigid truck** – more than 8t GVM with not more than two axles and with or without a trailer weighing 9t GVM or less.



**Medium rigid tractor** – more than 8t GVM with not more than two axles.



**Medium rigid bus** – more than 8t GVM with not more than two axles.



**Heavy rigid truck** – and more than 8t GVM with more than two axles with or without a trailer weighing 9t GVM or less, this includes a single prime mover.



**Heavy rigid bus** – with more than 8t GVM with more than two axles and with or without a trailer weighing 9t GVM or less.



**Articulated bus** – more than 8t GVM with more than two axles.



**Heavy Combination** – rigid truck more than 8t GVM towing one trailer weighing more than 9 t GVM.



**Heavy combination** – prime mover more than 8t GVM towing one semitrailer.



**B-double** – prime mover towing two semitrailers, with one semitrailer supported at the front, and connected to the other semitrailer.



**A specially constructed vehicle more than 8t GVM being:**

- a crane, hoist or load shifting equipment for which a WHS certificate is issued; or
- any other motor vehicle that is not constructed to carry passengers or a load, except things used in performing the vehicle's functions; but
- does not include a motor vehicle with a chassis that is substantially the same as a truck chassis.

## Good neighbour rules - for all heavy vehicles subject to this law

1. Minor maintenance can only be carried out between:
  - 7am and 6pm Monday to Saturday.
  - 9am and 5pm Sunday/public holidays.

Maintenance can not be undertaken away from the parked location when it requires the use of a compressor or grinder. Panel beating and spray painting is not allowed. You must not contravene the Environmental Protection Act 1994.

2. Park lights only are to be used while on premises.
3. Engine running time, before leaving, on arrival or any other time is not to exceed:
  - 5 minutes for a heavy vehicle without a trailer; or
  - 10 minutes for a heavy vehicle with a trailer.
4. Vehicles must exit the premises in a forward direction.
5. Compression brakes must not be used on the premises.

## Special consideration for Area B

If you lived in Area B (see map below) prior to 14 January 2011 you will be given special consideration if:

- Your land is less than 4000m<sup>2</sup> and criteria can not be met on reasonable grounds. Approval may be given to continue to park on your property without the need for a licence.
- Your land is 4000m<sup>2</sup> or more and criteria can not be met on reasonable grounds. Approval may be given to continue to park on your property without the need for an alternative solution.

This recognises that Area B did not have a local law before commencement.



## Do I need a licence to park my heavy vehicle on my property?

Land Size	I can meet the criteria	I can't meet the criteria	Outcome
Under 4,000m <sup>2</sup>	✓		<ul style="list-style-type: none"> <li>No licence needed.</li> </ul>
		✓	<ul style="list-style-type: none"> <li>Apply for a licence - provide an alternative solution for approval.</li> </ul> or <ul style="list-style-type: none"> <li>Seek an alternative location.</li> </ul>
4,000m <sup>2</sup> to 19,999m <sup>2</sup>	✓		<ul style="list-style-type: none"> <li>No licence needed.</li> </ul>
		✓	<ul style="list-style-type: none"> <li>Suggest an alternative solution that is acceptable to Council.</li> </ul> or <ul style="list-style-type: none"> <li>Seek an alternative location.</li> <li>No licence needed.</li> </ul>
20,000m <sup>2</sup> or more	✓		<ul style="list-style-type: none"> <li>Two Heavy vehicles Permitted in Cottage Rural Precinct and Park Living Precinct.</li> <li>One heavy vehicle permitted – no licence required.</li> <li>In zones other than Cottage Rural Precinct and Park Living Precinct, a licence is required for 2 heavy vehicles.</li> </ul>
		✓	<ul style="list-style-type: none"> <li>Suggest an alternative solution that is acceptable to Council – No licence needed.</li> </ul> ; or <ul style="list-style-type: none"> <li>Seek an alternative location.</li> </ul>

### Note:

- A licence application is only needed if your property is less than 4,000m<sup>2</sup> and you can't meet the criteria.
- A B-Double can park on residential land on a B-Double route defined by Queensland Transport on a land size of 5,000m<sup>2</sup> or more, subject to criteria.

## The criteria

- The resting location of the vehicle is to be:
  - Behind the house or where the house is recessed or on a corner block, at least 6m from the property boundary frontage, unless enclosed in an approved structure; or
  - In respect to a neighbours' house, if the heavy vehicle is not enclosed in an approved structure, it must be more than 15m from any neighbours' bedroom.
- The storage of ancillary equipment to the operation of the heavy vehicle must be:
  - In accordance with the resting location of the heavy vehicle, and
  - Not stored in an unsightly manner, and
  - 6m away from a property boundary; or
  - Enclosed in an approved structure.
- An approved crossover suitable to Council's roads and drainage infrastructure requirements.
- To reduce visual dominance from the street and neighbouring premises, the heavy vehicle must be screened:
  - By a structure so that at least 30% of the vehicle is screened in length and not higher than 2m with reasonable drought tollerant landscaping around the majority of the perimeter of the resting location, or
  - By existing vegetation, or
  - Enclosed in an approved structure.
- Goods or materials carried by the vehicle must not be:
  - Hazardous, noxious or offensive
  - Off-loaded and loaded on the premises (unless it is ancillary equipment to the operation of the heavy vehicle)
  - Maintained by a refrigeration unit.
- You must also comply with the good neighbour rules.

## Definitions

**Business purposes** means that the purpose for which a heavy vehicle is used provides a source of income for:

- The owner or occupier of the residential premises on which the heavy vehicle is parked; or
- The employer of the owner or occupier of the residential premises on which the heavy vehicle is parked.

### **Residential:**

- Premises used primarily for a residential use such as a house or multi-unit residential activity.

### **Rural:**

- Premises used primarily for an animal related activity or a crop related activity such as cattle grazing, dairying, poultry farm, farm forestry, hydroponics or turf farm.

### **Commercial:**

- Premises used primarily for catering, retail or business activity.

### **Industrial:**

- Premises used primarily for manufacturing/ processing or storage/sales or transport activity.

**Note:** Land use definitions need to be read in conjunction with respective planning schemes.

## Crossovers

- There is a standard Council specification for premises with kerb and channel.
- For premises without kerb and channel, Council will approve a specification suitable for the site.

## What else?

- A license
- Renewal is on a three-year basis.
- Penalties apply for non-compliance.

## For more information

Phone **3412 3412**

Email [council@logan.qld.gov.au](mailto:council@logan.qld.gov.au)

Fact sheet date – November 2022

