

Heavy vehicle parking



Local Law No. 8 – Heavy Vehicle Parking is a local law for the parking of a heavy vehicle on a residential premise.

The Local Law only applies to a vehicle greater than eight GVM (Gross Vehicle Mass), which are parked/kept on a residential premise.

For definitions of terms referred to in this fact sheet, see the last page

Note: The local law for parking of a heavy vehicle on residential property does not override the Mackay Planning Scheme.

Exemptions to the Local Law

- A heavy vehicle parked on the premises which satisfies the exemption criteria in schedule 1
- An emergency vehicle being used for an emergency or other official purpose
- A heavy vehicle being used for construction/maintenance of development infrastructure
- A heavy vehicle used for a lawful activity carried out under the planning scheme.

Exemption Criteria Schedule 1

A heavy vehicle which is parked on a premise satisfies the exemption criteria does not require further approvals and can be stored/kept at the premises. The exemption criteria of Schedule 1 is as follows:

1) Parking place of the heavy vehicle is:

- Stored in an approved structure or;
- Behind the existing residence

2) Ensure the heavy vehicle is screened

Heavy vehicle parking

3) A person parking the heavy vehicle on the premises:

- Must not carry materials which are hazardous, noxious or offensive goods or materials e.g livestock
- Must not unload or load goods for the heavy vehicle, other than equipment ancillary to the operation of the heavy vehicle

4) If fitted with a refrigeration unit, it must not be operational whilst parked.

5) Minor maintenance must be carried out between the hours of:

- a) 7am to 6pm Monday to Saturday; and
- b) 9am to 5pm Sunday and public holidays

6) Engine running times on the premises must not be more than:

- a) if the heavy vehicle is not towing a trailer - 5 minutes
- b) if the heavy vehicle is towing a trailer – 10 minutes

7) The heavy vehicle enters and exits the premises in a forward direction.



Application

An application to council is only required where the storing of the heavy vehicle cannot comply with schedule 1. An application will cost \$445 and must include, but is not limited to:

- 1) ownership, registration, address and trading name
- 2) site plan to scale the location of the heavy vehicle parking
- 3) a written statement which states the applicant has attempted or consulted with each neighbouring residence within a 50-metre radius of where the heavy vehicle will be parked.

Heavy Vehicle Parking FAQ's

What sort of conditions will be applied to an approval?

Conditions that may be applied to an approval are listed within the local law.

Heavy vehicles will be required to be screened from the neighbouring residence/s. This can be achieved using but not limited to any of the following methods

- Strategic vegetation
- Landscaping
- Existing residence
- Shed.

Heavy vehicle parking

Do I need neighbour/s consent?

This is not necessarily required with all applications. The local law prescribes this requirement only if appropriate. This will be required on smaller blocks in built up areas or where neighbouring residences are within 15 metres of proposed site boundaries.

What if my land and trucks are used for farming cane or cattle on the site?

The local law will not apply to heavy vehicles that are used in association with agricultural purposes. A land use which is otherwise defined as “cropping” against the Mackay Planning Scheme is an accepted development and does not require assessment against either the planning scheme or local laws.

Why is only one heavy vehicle permitted?

Parking of two or more trucks is covered within the Mackay Planning Scheme. These are land uses called “Transport Depot”, or “Medium Impact Industry”. Applications for such land uses for two or more trucks can be made to council for assessment against the Mackay Planning Scheme.

Can I park on the street?

Heavy vehicles parked within



built up areas have and will continue to be regulated under State legislation, under the Transport Operation (Road Use Management – Road Rules) Regulation 2009 (TORUM).

This state regulation prescribes that a heavy vehicle must not be parked on the road for longer than one hour in a built-up area. There are exceptions for delivery and emergency vehicles.

If you have any further questions in relation to the Heavy Vehicle Parking, council invites you to call our call centre on 1300 MACKAY

Definitions

Screened – for example planting and maintaining vegetation, from an external wall of any residential dwelling which is located within 15 metres on land other than where the heavy vehicle is stored.

Premises – property which the heavy vehicle is stored

Heavy vehicle means –

- a) a vehicle or combination of vehicles, including an adjunct vehicle, with a GVM of more than eight tonnes; or
- b) a vehicle that runs a refrigeration unit while parked

Schedule 1 - within local law no 8. Schedule 1 outlines the criteria which, if complied with an application to council for heavy vehicle parking, is not required.

Application fee

A one-off application fee will cost \$445. If approved the application will exist until the registered owner moves from the premises

There is no annual renewal fee.