

# LOCAL LAWS

ENVIRONMENTAL HEALTH SERVICES

## Local Laws



## Commercial Use of Local Government Controlled Areas and Roads

From 14 November 2011, Western Downs Regional Council is working under a new set of local laws to replace the local laws of the former Council areas and provide consistency across Western Downs. These local laws refer to *commercial use of local government controlled areas and roads* being a prescribed activity, and therefore requiring a permit.

### What is a Commercial Use of Local Government Controlled Areas and Roads?

*Local Law No. 1 (Administration) 2011* defines **commercial use of local government controlled areas and roads** as: the use of a local government controlled area or road for soliciting or carrying on the supply of goods and services (including food or drink) for profit, but does not include the following -

- the provision of a public passenger service under the *Transport Operations (Passenger Transport) Act 1994*;
- a business on part of a road if the person carrying on the business is authorised by a permit under the *Land Act 1994* to occupy the relevant part of the road for carrying on the business;
- a business that a person is authorised to carry on under the *Transport Infrastructure Act 1994*;
- using a road for a particular purpose if the use constitutes development under the Planning Act;
- operation of a temporary entertainment event;
- undertaking a regulated activity on a local government controlled area or road where the activity is the holding of a public place activity.

Not for profit activities may also require approval as a regulated activity. Please see the fact sheet on 'Regulated activities on local government controlled areas and roads' for more details.

### What do I need to do if I am wanting to carry out such an activity?

In order to undertake a prescribed activity, you are required to hold an approval from Council's Environment and Health Section. This approval can be obtained by completing an *Application for Commercial Use of Local Government Controlled Areas and Roads*, and submitting to Council with the relevant attachments and fees indicated in the application. This form can be found on Council's website, or by visiting your local Customer Service Centre.

### How long is an approval valid for?

Approval times vary according to the needs of the event. Permits may be issued as an annual permit, or as a one off event. For one off events, the permit will cover the time required to set up, undertake the activity,

and clean up afterwards. Annual permits may be renewed each year, subject to condition, allowing the approval holder to continually undertake the activity.

### If I obtain an approval for a commercial use of local government controlled areas and roads, are there any other approvals required?

In addition to holding this approval, there may be a number of other approvals required from Council or other government agencies. One of the main approvals which may be required if you intend to have any food at the event is a *Food Business Licence*. This licence can be obtained from Council's Environment and Health Section by completing the required application form with supporting information and fees. It is recommended that contact be made with this section on 1300 COUNCIL to discuss your requirements, a month prior to the event.

Additional permits may also be required through Council for advertising devices associated with the activity, or from state government for liquor licensing.



For further information, contact Council:

Customer Service

1300 COUNCIL  
www.wdrc.qld.gov.au

