

POLICY POSITIONS

Prohibited activities, nuisances and miscellaneous

Subject	Community Survey	Policy Position	Local Law	Info Sheet
Display of Goods for Sale	<ul style="list-style-type: none"> 55% of respondents would allow display of goods for sale with a permit 42% want it prohibited 71% said that cars should be allowed to be sold in a designated area 	<ul style="list-style-type: none"> Goods for sale are prohibited in the CBD A permit is required to display goods for sale outside the CBD Display of vehicles for sale is prohibited 	Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016	<p>✓</p> <p>Doing business</p>
Swimming Pools	N/A	<ul style="list-style-type: none"> Regulate privately run public swimming pools Exclude certain pools from regulation 	Local Law No.8 (Swimming Pools) 2016	<p>✓</p> <p>Swimming pools</p>
Shared Facilities	N/A	<ul style="list-style-type: none"> Regulate backpackers and short-term accommodation (eg boarding houses) only Exclude a range of facilities, such as hotels, motels, hospital facilities, farm stay, bed and breakfasts etc 	Local Law No.6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016	<p>x</p>
Roadside Vending	<ul style="list-style-type: none"> 95.5% of respondents said there aren't too many roadside stalls. 50.09% would like to see a greater range of products sold. 60% said the location of roadside stalls should be restricted 	<ul style="list-style-type: none"> Maintain distinction between mobile and stationary roadside vending Stationary Roadside Vending: permit required. Mobile Roadside Vending: no permit required (so long as comply with parameters) Same range of products 	Local Law No.11 (Local Government Controlled Areas and Roads) 2016	<p>✓</p> <p>Roadside vending</p>

POLICY POSITIONS

Subject	Community Survey	Policy Position	Local Law	Info Sheet
Temporary Entertainment Events	N/A	Split into Major and Minor categories: <ul style="list-style-type: none"> • Major – 1000 or more persons – permit required • Minor – less than 1000 persons <ul style="list-style-type: none"> - Under 100 persons – no permit required - Over 100 persons – permit required 	Local Law No.9 (Temporary Entertainment Events) 2016	✓ Temporary entertainment events
Subject	Community Survey	Agreed Policy Position	Local Law	Info Sheet
Maintenance of Premises		<ul style="list-style-type: none"> • Requirement to maintain structures including the visual impact of the structure such as: <ul style="list-style-type: none"> - Where a building is dirty, in disrepair, dilapidated, needs repainting or has offensive content • Requirement to remove graffiti or repair, clean or paint building 	Local Law No.3 (Community and Environment) 2016	✓ Doing business
Touting		<ul style="list-style-type: none"> • Now a prohibited activity throughout the local government area 	Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016	✓ Doing business
Intoxication	N/A	<ul style="list-style-type: none"> • Prohibited to enter or remain in Cairns Esplanade Reserve or Esplanade Lagoon when intoxicated or under the influence of liquor/drug • Offence to possess liquor on Council controlled areas (unless approved 'wet area') • Power to confiscate and dispose of liquor 	Local Law No.11 (Local Government Controlled Areas and Roads) 2016	✓ Activities on Council land
Glass Containers	N/A	<ul style="list-style-type: none"> • Prohibited to bring glass containers into Esplanade Lagoon & public pools 	Local Law No.11 (Local Government Controlled Areas and Roads) 2016	✓ Activities on Council land

POLICY POSITIONS

		<ul style="list-style-type: none"> Restricted activity in parks and reserves including Esplanade Reserve (only allowed where approved by CEO eg for 'wet areas') 		
Camping	N/A	<ul style="list-style-type: none"> Now defined in the local law and includes actually camping or staying overnight and preparing to camp (i.e. setting up a tent or parking a vehicle for the purpose of staying overnight or camping) 	Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016	x
Shopping Trolleys		<ul style="list-style-type: none"> It is an offence for trolleys to leave a retailer's premises Retailers with more than 25 shopping trolleys are required to have a Trolley Containment System If a retailer receives two or more infringement notices for not keeping shopping trolleys within their retail premises during any 12 month period, they are also required to implement a Trolley Containment System Retailers are required to place identification on all trolleys A Trolley Containment System is either a wheel- lock system or other system approved by the local government such as:- <ul style="list-style-type: none"> a coin /token operated system with refund; or provision of trolley attendants responsible for the collection of trolleys. Provision for impoundment and disposal of trolleys and fine for non-collection of impounded trolleys 	Local Law No.3 (Community and Environment) 2016	✓ Doing business
Smoking	Respondents want smoking banned at sporting grounds, community facilities (eg	<ul style="list-style-type: none"> Regulate within a 5 meter radius of all public transport waiting points in the CBD area 	Subordinate Local Law No.11 (Local Government Controlled Areas and	✓

POLICY POSITIONS

	Botanic Gardens), nature reserves (e.g. Cattana Wetlands), the Esplanade and Cairns Hospital		Roads) 2016	Activities on Council land
--	--	--	-------------	----------------------------

POLICY POSITIONS

Animal Management

Subject	Community Survey	Agreed Policy Position	Local Law	Info Sheet
Dog off-leash areas	72% Enough dog off-leash areas currently	<ul style="list-style-type: none"> Correction to mapping Insertion of George Fuller park as a new area 	Subordinate Local Law No.2 (Animal Management) 2016	<p style="text-align: center;">✓</p> Animal management
Dogs in the CBD	The majority of respondents say dogs should be prohibited in the CBD, on the Esplanade, the Esplanade Lagoon Area (and areas such as children's playgrounds areas)	<ul style="list-style-type: none"> No change to the CBD prohibition 	Subordinate Local Law No.2 (Animal Management) 2016	<p style="text-align: center;">✓</p> Animal management
Dogs in other Council areas		Dogs now prohibited:- <ul style="list-style-type: none"> at Cattana Wetlands, Mt Whitfield Conservation Park; within 2 meters of all Council Playgrounds and BBQ areas; at all Council public conveniences. Dogs restricted on certain sporting fields (only allowed with written permission of CEO)	Subordinate Local Law No.2 (Animal Management) 2016 Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016	<p style="text-align: center;">✓</p> Animal management
Cat registration	81% of respondents said cat registration should be mandatory	<ul style="list-style-type: none"> Cats must be registered Lifetime registration (one-off fee) Not required to wear tag (but must be micro chipped) 	Local Law No.2 (Animal Management) 2016	<p style="text-align: center;">✓</p> Animal management
Breeding animals	N/A	<ul style="list-style-type: none"> Dogs and cats prohibited to breed more than once every three calendar years (unless licensed breeder or have planning approval) It is prohibited to breed other animals, unless: <ul style="list-style-type: none"> Contained on larger allotment size; or Are a licenced breeder, or Have planning approval 	Local Law No.2 (Animal Management) 2016	<p style="text-align: center;">✓</p> Animal management
Keeping of animals that	<ul style="list-style-type: none"> Miniature pigs – 41% of respondents said 	<ul style="list-style-type: none"> Miniature animals are not distinguished from the keeping 	Local Law No.2 (Animal	<p style="text-align: center;">✓</p>

POLICY POSITIONS

Subject	Community Survey	Agreed Policy Position	Local Law	Info Sheet
<p>require a permit</p>	<p>miniature pigs should be allowed with a permit (38% not allowed)</p> <ul style="list-style-type: none"> • Roosters - 65% of respondents said they should not be allowed • Miniature horses - 38% of respondents said allowed with a permit (48% not allowed) • Noisy birds – 64% said not allowed under 600m²; 47% said not allowed under 800m² 	<p>of the species</p> <ul style="list-style-type: none"> • Racing pigeons have been distinguished from other birds and larger numbers are now allowed without a permit • Noisy birds are prohibited on properties less than 800m² • Only one noisy bird is allowed on properties between 800m² and 10,000m² • A permit is required for more than one noisy bird • New standards are imposed for keeping of birds in relation to minimum set-back from boundaries, not being a nuisance and so on. 	<p>Management) 2016</p>	<p>Animal management</p>
<p>Barking dog nuisance</p>	<ul style="list-style-type: none"> • Respondents indicated barking is a nuisance when it is continual for 5-10 minutes during daytime hours • Respondents tolerate less barking during the night 	<ul style="list-style-type: none"> • Develop a nuisance standard guide • Animal noise becomes an unreasonable nuisance if: <ul style="list-style-type: none"> - Council has received 3 or more individual complaints from neighbouring premises in a residential area; - Council has received 2 or more individual complaints from neighbouring premises in a non-residential area; - made for more than a total of 10 minutes in any hour from 7 am to 10pm on any day - made for more than a total of 5 minutes in any 30 minute period on any day after 10pm and before 7am. • Officers now have powers to seize barking dogs that are considered an 'unreasonable nuisance' where owners have failed to abate noise in 	<p>Local Law No.2 (Animal Management) 2016</p>	<p>✓ Animal management</p>

POLICY POSITIONS

Subject	Community Survey	Agreed Policy Position	Local Law	Info Sheet
		accordance with a compliance notice.		