



**Cairns Regional Council
Local Law No. 1 (Administration) 2016**

| **Current as at ~~9 September 2019~~**

Cairns Regional Council Local Law No. 1 (Administration) 2016

Contents

Part 1 Preliminary.....	1
1 Short title	1
2 Purposes and how they are to be achieved.....	1
3 Definitions—the dictionary	1
4 Relationship with other laws	1
Part 2 Applications and permits.....	2
5 Application.....	2
6 Meaning of prescribed activity	2
7 Permits	2
8 Applications	2
9 General criteria for assessing permit applications	3
10 Conditions of a permit.....	5
11 Term of permit	6
12 Application for renewal	6
13 Transfer of permit	8
14 Amending conditions at request of permit holder	8
15 Grounds for amending, suspending or cancelling permit.....	9
16 Show Cause Notice for amending, suspending or cancelling permit.....	10
17 Procedure for immediate suspension of permit	10
18 Third party certification	11
Part 3 Authorised persons.....	12
19 Appointment	12
20 Threatening etc. an authorised person	12
Part 4 Review of decisions	12
21 Application for review	12
22 Review decision	13
23 Stay of operation of original decision or compliance notice	13

<u>Part 5 Enforcement</u>	<u>13</u>
<u>24 Production of records</u>	<u>13</u>
<u>25 Compliance notice for contravention of local law or permit condition</u>	<u>14</u>
<u>26 Compliance notice authorised by local law</u>	<u>15</u>
<u>27 Power to remove and cost recovery</u>	<u>16</u>
<u>28 Stop orders</u>	<u>17</u>
<u>29 Director-General, Department of Transport and Main Roads may disclose information</u>	<u>18</u>
<u>30 Service of documents</u>	<u>18</u>
<u>31 Rewards</u>	<u>20</u>
<u>32 Direction to leave a local government controlled area or road</u>	<u>21</u>
<u>33 Directions generally</u>	<u>21</u>
<u>Part 6 Offences and matters relating to legal proceedings</u>	<u>22</u>
<u>34 Proceedings in the name of the local government</u>	<u>22</u>
<u>35 Proceedings other than summary proceedings</u>	<u>22</u>
<u>36 No abridgment of proceedings</u>	<u>22</u>
<u>37 Continuing offence</u>	<u>22</u>
<u>38 Offence for prescribed activity without permits and conditions</u>	<u>23</u>
<u>39 Offence for non-prescribed activity requiring a permit and conditions</u>	<u>23</u>
<u>40 General defences</u>	<u>24</u>
<u>41 Joint and several liability</u>	<u>24</u>
<u>42 Executive officer</u>	<u>24</u>
<u>43 Presumptions about advertising devices</u>	<u>25</u>
<u>44 Evidentiary provisions</u>	<u>25</u>
<u>45 Proof of intoxicating liquor</u>	<u>26</u>
<u>46 Recovery of damages, expenses etc.</u>	<u>26</u>
<u>Part 7 Miscellaneous</u>	<u>27</u>
<u>47 Maintenance of good order at meetings</u>	<u>27</u>
<u>48 Fees</u>	<u>27</u>
<u>49 Impounding goods</u>	<u>28</u>
<u>50 Dealing with seized and impounded goods</u>	<u>28</u>

Maximum penalty for subsection (9)–50 penalty units.	30
51 Transitional provisions.....	30
Part 8 Subordinate local laws.....	30
52 Subordinate local laws.....	30
Schedule 1 Dictionary	31
Maps	74
Part 1 Preliminary.....	1
1 Short title	1
2 Purposes and how they are to be achieved.....	1
3 Definitions—the dictionary.....	1
4 Relationship with other laws	1
Part 2 Applications and permits.....	2
5 Application.....	2
6 Meaning of prescribed activity	2
7 Permits	2
— Applications	2
9 General criteria for assessing permits	3
10 Conditions of a permit.....	5
11 Term of permit	6
12 Application for renewal	6
13 Transfer of permit.....	7
14 Amending conditions at request of permit holder	8
15 Grounds for amending, suspending or cancelling permit.....	9
16 Show Cause Notice for amending, suspending or cancelling permit.....	9
17 Procedure for immediate suspension of permit	10
18 Third party certification	11
Part 3 Authorised persons.....	11
19 Appointment	11
20 Threatening etc. an authorised person	11

Part 4 Review of decisions	12
21—Application for review	12
22—Review decision	12
23—Stay of operation of original decision or compliance notice	13
Part 5 Enforcement	13
24—Production of records	13
25—Compliance notice for contravention of local law or permit condition	13
26—Compliance notice authorised by local law	14
27—Power to remove and cost recovery	15
28—Stop orders	16
29—Chief executive (transport) may disclose information	17
30—Service of documents	18
31—Rewards	20
32—Direction to leave a local government controlled area or road	20
33—Directions generally	21
Part 6 Offences and matters relating to legal proceedings	21
34—Proceedings in the name of the local government	21
35—Proceedings other than summary proceedings	21
36—No abridgment of proceedings	21
37—Continuing offence	22
38—Offence for prescribed activity without permits and conditions	22
39—Offence for non-prescribed activity requiring a permit and conditions	23
40—General defences	23
41—Joint and several liability	23
42—Executive officer	23
43—Presumptions about advertising devices	24
44—Evidentiary provisions	24
45—Proof of intoxicating liquor	25
46—Recovery of damages, expenses etc	26
Part 7 Miscellaneous	26
47—Maintenance of good order at meetings	26

48— Fees	27
49— Impounding goods	27
50— Dealing with seized and impounded goods	28
Maximum penalty for subsection (9) 50 penalty units	29
51— Transitional provisions	29
Part 8 Subordinate local laws	29
52— Subordinate local laws	29
Schedule 1 Dictionary	30
Maps	67

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 1 (Administration) 2016*.

2 Purposes and how they are to be achieved

- (1) The purposes of this local law are to provide a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and specified regulatory powers under legislation, and to provide for miscellaneous administrative matters.
- (2) The purposes are to be achieved by providing for:
 - (a) consistent and comprehensive processes for the local government to grant and regulate permits to undertake prescribed activities and other non-prescribed activities;
 - (b) authorised persons for enforcing local laws;
 - (c) review of certain decisions made under local laws;
 - (d) enforcement of local laws;
 - (e) matters relating to legal proceedings; and
 - (f) miscellaneous administrative matters relating to meetings, fees, abandoned goods and seized and impounded items.

3 Definitions—the dictionary

The dictionary in Schedule 1 defines particular words used in all of the local government's local laws and subordinate local laws.

4 Relationship with other laws

This local law:

- (a) provides process for development where specifically authorised by legislation, and development subject to the local laws is ~~accepted~~ exempt development under the [Cairns Region](#) Planning Scheme;
- (b) applies to each of the local government's local laws and subordinate local laws subject to any specific provision in a local law or subordinate local law that expressly states otherwise and then only to the extent expressly stated;
- (c) is made under Chapter 3 of the LGA; and
- (d) is made under the *Transport Operations (Road Use Management) Act 1995*.

Part 2 Applications and permits

5 Application

These provisions apply to all local law applications to be made to the local government.

6 Meaning of prescribed activity

Prescribed activity means:

- (a) an activity described as a prescribed activity in a local law; or
- (b) an activity for which a Local Government Act authorises the local government to grant an approval or permit but does not make any other provision, except a provision that is consistent with this part, about the process for the local government to grant the approval or permit.

7 Permits

- (1) A permit is required for a prescribed activity.
- (2) A permit required for a prescribed activity or other non-prescribed activities under a local law must be obtained under this part.

8 Applications

- (1) An application for a local government permit must be made on an approved form under this local law and any other approved form identified in the local laws.
- (2) Applications can be made in writing or electronically where the local government provides that service [within the timeframe specified within the local law or on the approved form](#).
- (3) When completing the approved form under this local law, an applicant must identify each other approved form required to be completed to allow all aspects of the activity to be assessed in an application.
- (4) The application must be accompanied by:
 - (a) documents and materials identified in the approved forms, [including the documents and materials specified within the local law for which the application is made](#);
 - (b) proof that the applicant currently holds any separate approval relating to the activity that is required under another law; and
 - (c) the prescribed fee.

Example for paragraph (a):

The local government may require an application to include site plans, management plans, relevant consents, evidence of public liability insurance etc.

Example for paragraph (b):

A prescribed activity may require approvals under another Act in relation to

development, building, liquor, carriage of goods, business licensing etc.

(5) An application that complies with subsections (1) to (4) is a **properly made application**.

(6) The local government must accept a properly made application that complies with subsections (1) to (4) and assess the application in accordance with the local law.

(7) The local government may refuse to accept an application that is not a properly made application.

~~(5)~~(8) The local government may, by written notice, request the applicant to provide further reasonable information or clarification of information, documents or materials included in the application.

~~(6)~~(9) The notice under ~~subsection (5)~~ must state:

- (a) the grounds on which the request is made;
- (b) an outline of the facts and circumstances forming the basis for the grounds;
- (c) a detailed description of the information requested; and
- (d) the date, not less than 7 days after the applicant receives the notice, by which the applicant must provide the information.

~~(7)~~(10) If the applicant does not, without reasonable excuse, provide the further information by the stated date:

- (a) the application lapses; and
- (b) the local government must give the applicant written notice stating that:
 - (i) under this section the application lapses; and
 - (ii) the applicant may make a new application.

~~(8)~~(11) However, the local government may extend the period for the applicant to provide the further information, and will give notice of any such extension to the applicant (including the date to which the extension has been granted).

~~(9)~~(12) A person must not provide information in or in connection with an application that is, to the person's knowledge, false or misleading.

Maximum penalty ~~for subsection (9)~~—20 penalty units.

9 **General criteria for assessing permits applications**

(1) The local government may grant a permit only if it is satisfied that:

- (a) **if** a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme is required, the separate approval has been granted and the conditions of the approval have been or will be complied with;

- (b) the proposed operation and management of the activity is adequate to protect public health, safety and amenity, and prevent environmental harm;
- (c) the grant of the permit would be consistent with the purpose of any relevant local law;
- (d) the proposed operation and management of the activity would be consistent with any additional criteria prescribed for the activity under a local law;
- (e) the proposed operation and management of the activity would be consistent with best practice management;
- (f) if the application relates to trust land, the grant of the permit would be consistent with the terms and conditions of the trust;
- (g) if the application relates to a prescribed activity mentioned in section 6(b), the grant of the approval would be consistent with any requirements or criteria specified in the relevant Local Government Act in relation to the approval or permit;
- (h) the granting of the permit is beneficial for the good rule and governance of the local government area;
- (i) the granting of the permit would not be detrimental to the good rule and governance of the local government area;
- (j) if the applicant has not been convicted of a breach of a local law relevant to the subject matter of the application within the last 3 years;
- (k) the granting of the permit would be reasonable in the circumstances; and
- ~~(l) whether an approval for the same or similar activity was given under the repealed local laws; and~~
- ~~(m)~~(l) if the application is substantially the same as an application for which the local government has already made a decision refusing the permit, whether the granting of the permit is reasonably required.

Example for paragraph (a):

An application for commercial use of a local government controlled area that is held in trust by the local government under the Land Act 1994 may require registration of a trustee lease or issue of a trustee permit prior to the approval being granted for commercial use of the area.

(2) The local government may, by written notice to the applicant:

- (a) grant the permit unconditionally;
- (b) grant the permit subject to conditions determined in accordance with section 10; or
- (c) refuse to grant the permit.

Examples for paragraph (b):

If an application for which the local government's permission is required may result in damage to property, the local government may, as a condition of giving a permit, require the applicant to give reasonable security (which may include a deposit of money, a guarantee or an insurance bond) to ensure that the damage is made good.

The local government may grant a permit subject to standard conditions pursuant to a local law.

- (3) The local government's powers in deciding the application are subject to the provisions of any relevant local law.
- (4) The local government must give the applicant an information notice if the local government:
 - (a) refuses to grant a permit for a prescribed activity; or
 - (b) grants a permit for a prescribed activity subject to a non-standard condition.

10 Conditions of a permit

- (1) A permit may be granted on conditions the local government considers appropriate.
- (2) [Without limiting subsection \(1\), t](#)The conditions must:
 - (a) indicate the activity cannot commence until such time as all other necessary approvals have been obtained;
 - (b) be reasonably necessary to ensure that the operation and management of the activity will be adequate to protect public health, safety and amenity and prevent environmental harm;
 - (c) be consistent with the purpose of any relevant local law;
 - (d) if the approval is for a prescribed activity mentioned in section 6(b), be consistent with any requirements or criteria specified in the relevant Local Government Act in relation to the approval or permit;
 - (e) not conflict with the conditions of any other relevant approval issued under an Act;
 - (f) ensure the permit will benefit the good rule and governance of the local government area;
 - (g) ensure the permit will not be detrimental to the good rule and governance of the local government area; and
 - (h) require the permit holder to notify the local government in writing of a suspension or cancellation of a relevant approval for the prescribed activity under an Act within 3 days of the relevant approval being suspended or cancelled.
- (3) Despite subsections (1) and (2) a local law may prescribe the type of conditions that must be imposed or that will ordinarily be imposed as standard conditions.

- (4) To remove any doubt, it is declared that a condition of a permit may authorise an act or omission that:
- (a) contravenes a noise standard; or
 - (b) causes an environmental nuisance.

Example for paragraph (a):

A condition of a permit for operation of a temporary entertainment event may authorise the operation of an amplifier device at specified times that would otherwise be a contravention of the noise standard in the Environmental Protection Act 1994, section 440Y.

- (5) In this section:

environmental nuisance see *Environmental Protection Act 1994*, section 15.

noise standard see *Environmental Protection Act 1994*, section 440K.

11 Term of permit

- (1) The normal term for a permit will be:

~~(a) 5 years for a commercial recreation permit;~~

~~(b)~~(a) 10 years for a cane railway permit; and

~~(c)~~(b) 1 year for all other permits.

- (2) The local government may, in its discretion, provide for a shorter or longer term than the normal term for a permit, and in exercising this discretion the local government may have regard to the matters mentioned in section 9.
- (3) Unless sooner cancelled or suspended, a permit remains in force for:
- (a) the term provided on the permit; or
 - (b) if there is no term provided on the permit, one year from the date the permit is granted.

12 Application for renewal

- (1) A permit holder may, at least 30 days before the end of the term of the permit, apply to the local government to extend the term of the permit for:
- (a) a further term provided for the activity under a local law; or
 - (b) if there is no term provided for under a local law, a further term equal to the current term of the permit.
- (2) A permit holder may not apply to renew or extend the permit where the local government has given the permit holder reasonable written notice that the permit is one of a class of permits that the local government does not intend to renew or extend.

Example:

The local government might give notice to the permit holder that, in order to prevent environmental harm to an endangered ecosystem, it does not intend to grant, renew or extend

any permits for the activity in a specified part of the local government area.

- (3) The application under subsection (1) must be:
 - (a) made on an approved form; ~~and~~
 - ~~(a)(b)~~ be accompanied by the documents and materials identified in the approved forms, including the documents and materials specified within the local law for which the application is made; and
 - ~~(b)(c)~~ accompanied by the prescribed fee.
- (4) The local government may, by written notice, request the applicant to provide further reasonable information or clarification of information, documents or materials included in the application.
- (5) Sections ~~8(9)8(6)~~ to ~~(12)(9)~~ apply to the notice as if it was a notice under section 8(~~85~~).
- (6) The local government may, by written notice to the applicant:
 - (a) grant the application;
 - (b) grant the application and amend the conditions of the permit; or
 - (c) refuse the application.
- (7) In deciding under subsection (6), the local government may have regard to:
 - (a) the matters mentioned in section 9; and
 - (b) whether the conditions of the approval are being complied with by the applicant.
- (8) The local government must give the applicant an information notice if the local government:
 - (a) refuses an application in relation to a prescribed activity; or
 - (b) grants the application in relation to a prescribed activity and amends the permit to include non-standard conditions.
- (9) The local government may amend the conditions of the permit under subsection (6)(b) without following the procedure in section 16.
- (10) If a permit holder applies to renew or extend the permit, the permit remains in force until:
 - (a) the date the application is granted, with or without amendment of the conditions;
 - (b) the application in relation to a prescribed activity is refused and the applicant applies for a review of the decision under Part 4, the date the applicant is given notice of the review decision;
 - (c) the application in relation to a prescribed activity is refused and the applicant has not applied for a review of the decision under Part 4, 14 days after the date the applicant is given notice of the refusal; or

- (d) the application in relation to a non-prescribed activity is refused, 14 days after the date the applicant is given notice of the refusal.

13 Transfer of permit

- (1) The holder of a permit together with another person may apply to the local government for transfer of the permit to the other person (the proposed *transferee*).
- (2) A permit cannot be transferred under this section if it is of a category or type of permit declared as non-transferable under a local law.
- (3) The application under subsection (1) must be:
 - (a) made on an approved form; and
 - (b) accompanied by the prescribed fee.
- (4) The local government may, by written notice, request the applicant to provide further reasonable information or clarification of information, documents or materials included in the application.
- (5) Section ~~8(9)~~~~8(6)~~ to ~~(12)~~~~(9)~~ applies to the notice as if it was a notice under section 8(~~8~~~~5~~).
- (6) The local government may grant an application to transfer a permit only if it is satisfied about the matters mentioned in section 9(1).
- (7) The local government may, by written notice to the permit holder and the proposed transferee:
 - (a) grant the application to transfer the permit; or
 - (b) refuse the application to transfer the permit.
- (8) If the local government decides to grant the application to transfer the permit, the local government may amend the existing conditions of the permit.
- (9) The local government may amend the conditions of the permit under subsection (8) without following the procedure in section 16.
- (10) The local government must state, in the notice given under subsection (7)(a), any amendments to the conditions of the permit and the day that they take effect.
- (11) The local government must give the permit holder and the proposed transferee an information notice if the local government:
 - (a) refuses an application in relation to a prescribed activity; or
 - (b) grants an application in relation to a prescribed activity and amends the permit to include non-standard conditions.

14 Amending conditions at request of permit holder

- (1) A permit holder may apply to the local government to amend the conditions of the permit:

- (a) not more than once in a calendar year; ~~and~~
 - (b) not within 6 months of the expiry of the permit; and
 - ~~(b)~~(c) otherwise at the discretion of the local government.
- (2) The application must be written and state:
 - (a) the proposed amendment; and
 - (b) the reasons for it.
 - (3) The local government must consider and decide whether to grant or refuse the application.
 - (4) If the local government decides to amend the conditions as requested, the local government must, within 14 days of the decision, give the permit holder written notice of the amended conditions and the day that they take effect.
 - (5) If the local government refuses to amend a non-standard condition in relation to a prescribed activity, the local government must give the permit holder an information notice.
 - (6) The local government may amend the conditions of the permit under this section without following the procedure in section 16.

15 Grounds for amending, suspending or cancelling permit

Each of the following is a ground for amending, suspending or cancelling a permit:

- (a) amendment, suspension or cancellation is necessary:
 - (i) for the protection of public health or safety;
 - (ii) to prevent environmental harm;
 - (iii) to prevent property damage or loss of amenity;
 - (iv) to allow for works on roads or local government controlled areas;
 - (v) to improve access to a road; or
 - (vi) to improve the efficiency of vehicle or pedestrian traffic.
- (b) another permit required for the prescribed activity under an Act has been suspended or cancelled;
- (c) in undertaking the activity, the permit holder has failed to comply with a local law or an Act;
- (d) the permit holder has failed to comply with a condition of the permit;
- (e) the permit holder has failed to comply with a notice under sections 25 or 26 that relates to the conduct of the prescribed activity or has failed to comply with a stop order under section 28;
- (f) the approval was granted because of a document or representation that was:
 - (i) false or misleading; or

(ii) obtained or made in another improper way.

16 Show Cause Notice for amending, suspending or cancelling permit

- (1) This section applies if the local government considers there is a ground under section 15 to amend, suspend or cancel a permit (the **proposed action**).
- (2) Before taking the proposed action, the local government must give the permit holder a written notice (the **show cause notice**) stating:
 - (a) the proposed action;
 - (b) the grounds for the proposed action;
 - (c) an outline of the facts and circumstances that are the basis of the grounds;
 - (d) if the proposed action is suspension of the permit, the proposed suspension period; and
 - (e) that the permit holder may make written submissions, within a stated reasonable time ~~of at least 21 days~~ after the notice is given, why the proposed action should not be taken.
- (3) If, after considering all submissions made within the stated reasonable time, the local government decides that a ground no longer exists to cancel, amend or suspend the permit, the local government must take no further action about the show cause notice and give written notice to the permit holder about the decision.
- (4) If, after considering all submissions made within the stated reasonable time, the local government still considers there is a ground to take the proposed action, the local government may:
 - (a) if the proposed action was to amend the permit, amend the permit;
 - (b) if the proposed action was to suspend the permit, suspend the permit for no longer than the period stated in the notice; or
 - (c) if the proposed action was to cancel the permit, amend the permit, suspend it for a period or cancel it.
- (5) If the local government decides to amend, other than by inclusion of a standard condition, suspend or cancel a permit in relation to a prescribed activity the local government must give the permit holder an information notice.
- (6) The decision takes effect on the day the written notice mentioned in subsection (3) or (5) is given to the permit holder, or if a later day of effect is stated in the notice, the later day.

17 Procedure for immediate suspension of permit

- (1) Despite section 16, the local government may immediately suspend a permit if the local government forms an opinion that continuation of the activity by the permit holder poses:

- (a) an urgent and serious threat to public health or safety; or
 - (b) an urgent and serious risk of environmental harm, property damage or loss of amenity.
- (2) The suspension:
- (a) can be effected only by the local government giving a notice to the permit holder about the decision to immediately suspend the permit, together with a show cause notice about proposed action under section 16;
 - (b) operates immediately the notices under subsection (2) isare given to the permit holder; and
 - (c) continues to operate until the earliest of the following happens:
 - (i) the local government cancels the suspension;
 - (ii) the local government gives the permit holder notice under section 16(3) or (5) of its decision about the show cause notice;
 - (iii) 14 days have passed since the expiry of the stated time for the making of written submissions regarding the show cause notice;
 - (iv) 14 days have passed since the permit holder notifies the local government that it has made its final written submissions regarding the show cause notice.

18 Third party certification

- (1) In deciding an application in relation to a prescribed activity under this part, the local government may accept the certificate of a third party certifier identified in a subordinate local law for this section as evidence about those criteria.

Example:

A local law might specify that a criterion to be met by applicants for approval to operate a public swimming pool is a management plan that complies with the Royal Life Saving Society's Guidelines for Safe Pool Operation. A subordinate local law could state that compliance with this requirement is a matter about which a third party certifier may provide certification. In deciding an application, the local government may then accept a certificate of a third party certifier (approved under a subordinate local law pursuant to subsection (2) – e.g. the Royal Life Saving Society) as evidence that this criteria has been met.

- (2) In this section:

third party certifier means:

- (a) an individual or organisation declared under a subordinate local law for this paragraph as a third party certifier for a criterion of a particular application; or
- (b) **A**n individual or organisation that has the qualifications prescribed under a subordinate local law for this paragraph as necessary to provide a certificate about a criterion for a particular application.

Part 3 Authorised persons

19 Appointment

An authorised person's instrument of appointment must state the local laws, or the provisions of local laws, for which the person is appointed as an authorised person.

20 Threatening etc. an authorised person

A person must not threaten, insult or use abusive language to an authorised person.
Maximum penalty—20 penalty units.

Part 4 Review of decisions

21 Application for review

~~(1)~~—A person who is given, or is entitled to be given, an information notice for:

~~(2)~~—a decision under a local law (an **original decision**)¹; or

~~(3)~~—a compliance notice under sections 25 or 26;

~~(4)~~~~(1)~~—, may apply to the chief executive officer for an internal review of the decision under this part.

~~(5)~~~~(2)~~— The application (a **review application**) must be made within 14 days:

- (a) if the person is given an information notice for the decision, the day the person is given the notice; or
- (b) if paragraph (a) does not apply, the day the person otherwise becomes aware of the original decision.

~~(6)~~~~(3)~~— The local government may, at any time, extend the time for making a review application.

~~(7)~~~~(4)~~— The review application must be in writing and:

- (a) accompanied by a statement of the grounds on which the applicant seeks the review of the decision; and
- (b) supported by enough information to enable the local government to decide the application.

~~(8)~~~~(5)~~— Only one review application can be made for the internal review of an original decision for which an information notice is given under subsection (1).

~~(9)~~~~(6)~~— This section only applies in relation to prescribed activities and compliance notices.

¹ [An original decision of the local government for which an information notice is required to be given, includes the giving of a compliance notice under section 25 or section 26 of this local law.](#)

22 Review decision

- (1) The local government must review the original decision or compliance notice within 28 days after receiving a review application and make a decision (the **review decision**) to:
 - (a) confirm the original decision or compliance notice;
 - (b) amend the original decision or compliance notice; or
 - (c) substitute another decision for the original decision or compliance notice.
- (2) The application must not be dealt with by:
 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision, unless the original decision was made by the chief executive officer.
- (3) The local government must, within 5 days of making the review decision, give the applicant notice of the decision (the **review notice**).
- (4) If the review decision is not the decision sought by the applicant, the review notice must also state the reasons for the review decision.
- (5) If the local government does not give the review notice within the 5 days, the local government is taken to have made a review decision confirming the original decision.

23 Stay of operation of original decision or compliance notice

- (1) A review application does not stay the original decision or compliance notice that is the subject of the application.
- (2) The applicant may, immediately after being given the information notice about the original decision or compliance notice, apply to the person who will make the review decision for a stay of the original decision or compliance notice.
- (3) The person who will make the review decision may stay the original decision or compliance notice to secure the effectiveness of the review.
- (4) A stay may be granted on conditions the person making the review decision considers appropriate.

Part 5 Enforcement

24 Production of records

- (1) This section applies where an authorised person has entered a property under the LGA to find out whether the conditions of a permit have been complied with.
- (2) The authorised person may require the occupier of the property [and/or permit holder](#) to produce ~~for inspection~~ records [for inspection and provide information](#)

that are required by the conditions of a permit [or to assist the authorised person in determining if the conditions of a permit have been complied with.](#)

- (3) A person must comply with a requirement under subsection (2), unless the person has a reasonable excuse.

Maximum penalty ~~for subsection (3)~~—10 penalty units.

25 Compliance notice for contravention of local law or permit condition

- (1) Subsection (2) applies if an authorised person is satisfied on reasonable grounds that:

(a) a person:

- (i) is contravening a local law or a condition of a permit; or
- (ii) has contravened a local law or a condition of a permit in circumstances that make it likely the contravention will continue or be repeated;

(b) a matter relating to the contravention can be remedied; and

(c) it is appropriate to give the person an opportunity to remedy the matter.

Examples for paragraph (b) of matters relating to a contravention that can be remedied:

If the contravention relates to a person's failure to take action that is required under a local law or a condition of a permit, then the matter can be remedied by the person taking that action.

If the contravention relates to a person taking action that is prohibited under a local law or a condition of a permit, then the matter can be remedied by the person stopping that action.

- (2) The authorised person may give a written notice (a **compliance notice**) to the person (the **recipient**) requiring the person to remedy the contravention.

- (3) The compliance notice must state the following:

- (a) the particular provision of the local law or condition of a permit the authorised person believes is being, or has been, contravened;
- (b) briefly, the facts and circumstances upon which it is believed the provision of the local law or condition of a permit is being, or has been, contravened;
- (c) the time by which the recipient must remedy the contravention;
- (d) that it is an offence to fail to comply with the compliance notice; and
- (e) the maximum penalty for failing to comply with the compliance notice.

- (4) The time under subsection (3)(c) must be reasonable having regard to:

- (a) the action required to remedy the contravention;
- (b) the risk to public health and safety, the risk of damage to property or loss of amenity and the risk of environmental harm posed by the contravention; and

- (c) how long the recipient has been aware of the contravention.
- (5) The compliance notice may also state the reasonable steps the authorised person considers necessary to remedy the contravention or avoid further contravention.

Examples of reasonable steps to avoid further contravention:

The repetition of a specified action at stated intervals for a certain period.
Stopping from taking an action that is prohibited by a local law or condition of a permit.

- (6) The recipient must comply with the compliance notice.
Maximum penalty ~~for subsection (6)~~—50 penalty units.
- (7) The local government must give the person an information notice.

26 Compliance notice authorised by local law

- (1) This section applies if:
 - (a) a local law provides that an authorised person may give a compliance notice to a person; and
 - (b) the authorised person gives a compliance notice to the person (the **recipient**).
- (2) The compliance notice must state the following:
 - (a) the provision of the local law that authorises the authorised person to give a compliance notice;
 - (b) the specified action that the recipient must take to comply with the notice;
 - (c) the time by which the recipient must comply with the notice;
 - (d) that it is an offence to fail to comply with the notice; and
 - (e) the maximum penalty for failing to comply with the notice.
- (3) The specified action in subsection (2)(b) must not be inconsistent with action required, by a remedial notice, to be taken under another Local Government Act.
- (4) The time under subsection (2)(c) must be reasonable having regard to the risk to public health and safety, the risk of damage to property or loss of amenity, and the risk of environmental harm that may result from failure to comply with the notice.
- (5) The recipient must comply with the compliance notice.
Maximum penalty—50 penalty units.
- (6) A compliance notice issued under *Local Law No. 11 (Local Government Controlled Areas and Roads) 2016* in relation to intoxicating liquor must require compliance within ~~fifteen (15)~~ minutes with a requirement under a compliance notice and does not have to comply with subsections (3) and (4) above.

Maximum penalty ~~for subsection (5)~~—50 penalty units.

(7) The local government must give the person an information notice.

27 Power to remove and cost recovery

(1) This section applies where:

- (a) a structure, vessel or other material thing has been brought onto a local government controlled area or road in contravention of a local law;
- (b) a structure or other material thing has been erected or installed in, on, across, under or over a local government controlled area or road in contravention of a local law;
- (c) a person has failed to comply with a compliance notice that required the removal of a structure or goods within the time specified in the compliance notice; or
- (d) a vehicle or tram has been:
 - (i) abandoned on a road;
 - (ii) left on a road unattended whether temporarily or otherwise for a time or in a place, condition, way or circumstances where its presence is hazardous; ~~or~~
 - (iii) found on a road in a place, condition, way or circumstances where its presence is hazardous; or
 - (iv) left on a local government controlled area or road which is in need of repair and unable to be driven;
 - (iii)(v) left on a local government controlled area or road and the vehicle is unregistered;

and the driver of the vehicle or tram:

 - (iv)(vi) cannot readily be located; or
 - (v)(vii) has failed to immediately remove the vehicle or tram when required by the local government to do so; ~~or~~

- (2) ~~F~~For the avoidance of doubt, a structure, vessel or other material thing under this section includes a vehicle or tram, and items within a vehicle or tram.
- (3) Where section (1)(d) applies, an authorised person may remove the vehicle or tram from the road and impound it at a place for safe keeping.
- (4) An authorised person may remove, seize (by dismantling if necessary) and impound the structure, vessel or other material goods ~~or~~ thing if its immediate removal is necessary or becomes necessary:
 - (a) in the interests of public health or safety; or
 - (b) to prevent environmental harm, property damage or loss of amenity.

- (5) Where subsections (23) or (34) do not apply, an authorised person may remove, seize (by dismantling if necessary) and impound the structure, vessel or other material ~~or~~ thing if:
- (a) the owner, or person in possession, of the structure or thing has not complied with a compliance notice requiring the owner or person to remove it and the time for internal review has passed; or
 - (b) the owner or person in possession of the structure or thing has been prosecuted and found guilty of an offence against the Local Laws about the structure or thing.
- (6) The local government may recover the cost of action taken under this section as a debt from the person responsible for the activity mentioned in subsection (1).
- (7) In this section thing does not include an animal.:
~~(a) thing does not include an animal.~~
- (8) For subsection (1)(d), the presence of a vehicle or tram on a road is hazardous if it is causing, or is likely to cause, danger, hindrance or obstruction to traffic or is preventing, hindering or obstructing, or is likely to prevent, hinder or obstruct, the use of the road or a part of the road for a lawful purpose.

28 Stop orders

- (1) An authorised person may give a relevant person an order to take immediate action or immediately stop an activity regulated under a permit given under the Local Laws if the authorised person believes that continuation of the activity may contravene a local law or a condition of a permit and the contravention poses:
- (a) an urgent and serious threat to public health or safety; or
 - (b) an urgent and serious risk of environmental harm, property damage or loss of amenity.
- (2) An order under this section:
- (a) may be given orally or in writing; and
 - (b) operates until the earliest of the following happens:
 - (i) the expiry of the period, of no more than 3 days, specified by the authorised person when the order is given; or
 - (ii) the local government immediately suspends the permit for the activity under section 17.
- (3) An authorised person must confirm an oral order in writing by the next business day following the giving of the order;
- (4) A person who receives an order under this section must comply with the order;
- Maximum penalty ~~for subsection (4)~~—50 penalty units.

- (5) This section does not affect the local government's powers under another law;
~~and~~
- (6) In this section:
relevant person means the permit holder for the activity or an employee or agent of the permit holder currently conducting the activity.

29 Chief executive (transport) may disclose information

- (1) This section applies if an authorised person asks the chief executive (transport), where the authorised person is reasonably satisfied that vehicle registry information may be used to identify a person involved in an offence or their current address, in an investigation under the Local Laws about offences, including:
- (a) illegal camping;
 - (b) vehicles displayed for sale;
 - (c) bringing motor vehicles into local government controlled areas or roads;
 - (d) bringing prohibited vehicles into motor vehicle access areas;
 - (e) depositing a structure, thing, goods or materials on a local government controlled area or road; and
 - (f) vehicles or trams in a local government controlled area or road.
- (2) The chief executive (transport) may disclose the information to the authorised person if:
- (a) the chief executive (transport) reasonably considers that the information may be used to identify the relevant person or their address; or
 - (b) the disclosure is authorised by the person to whom the information relates.
- (3) In this section:

chief executive (transport) means the Director-General, Department of Transport and Main Roads ~~chief executive of the department~~ in which the *Transport Operations (Road Use Management) Act 1995* is administered.

vehicle registry information means information kept in the register of registered vehicles under a regulation under the *Transport Operations (Road Use Management) Act 1995*.

30 Service of documents

- (1) The local government may give or serve a document to or upon:
- (a) a person by:
 - (i) delivering the document to the person;
 - (ii) leaving the document at the person's address for service;

- ~~(ii)~~(iii) delivering the document by email to the person;
 - ~~(iii)~~(iv) forwarding the document by post in a prepaid letter addressed to the person at the person's postal box or other address recorded in the local government's database;
 - ~~(iv)~~(v) forwarding the document by post in a registered letter addressed to such person at the person's address for service;
 - ~~(v)~~(vi) delivering a copy of the document to a person, other than a minor, who is in control of the premises at which the person ordinarily resides or is employed; ~~or~~
 - ~~(vi)~~(vii) fixing a copy of the document on some conspicuous part of the premises at which the person ordinarily resides or is employed if there is no person, other than a minor, in control of the premises to whom the document can be given or served; ~~:-~~
- (b) a person in that person's capacity as the owner or occupier of premises by:
- (i) delivering the document to the person;
 - (ii) delivering a copy of the document to some person, other than a minor, at the premises;
 - ~~(ii)~~(iii) delivering the document by email to the person; or
 - ~~(iii)~~(iv) fixing a copy of the document on some conspicuous part of the premises if there is no person, other than a minor, on the premises to whom the document can be given or served; ~~:-~~
- (c) a person in that person's capacity as the owner or occupier of property, including a vehicle, other than a premises, by:
- (i) delivering the document to the person;
 - (ii) delivering a copy of the document to some person, other than a minor, in control of the property; or
 - (iii) fixing a copy of the document on some conspicuous part of the property if there is not person, other than a minor, in control of the property to whom the document can be given or served;
 - ~~(iii)~~(iv) fixing a copy of the document by attaching it to a conspicuous part of the person's vehicle; or
- (d) a person as an owner of rateable land, in accordance with section 239 of the LGA.
- (2) If the local government has given or served a document to or on a person pursuant to subsection (1), it is sufficient proof that the document has been given or served to or upon the person, for an officer of the local government to:

- (a) in the case of a document given or served to or upon a person pursuant to subsection (1)(a)(iv):
 - (i) produce a copy of the document; and
 - (ii) give testimony that the document was properly stamped and addressed and put into the post.
 - (b) in the case of a document given or served to or upon a person pursuant to subsection (1)(a)(iv):
 - (i) produce a receipt purporting to be on the registered receipt of the registered letter; and
 - (ii) give testimony as to the contents of the registered letter; or
 - (c) in all other cases:
 - (i) produce a copy of the document; and
 - (ii) give testimony as to the manner in which the document was given or served to or upon the person.
- (3) A document is taken to have been properly given or served to or upon the owner or occupier of property, if:
- (a) the document is required to be given or served to or upon the owner or occupier of the property;
 - (b) the name of the owner or occupier of the property is not known;
 - (c) the document is addressed to the owner or occupier of the property by the description of the “owner” or “occupier” of the property in question (naming them) and without further name or description; and
 - (d) the document is given or served to or upon the person in accordance with subsection (1).
- (4) A document forwarded by post in a prepaid letter is taken to have been given or served to or upon the person at the last moment of the day of which the same ought to be delivered at its destination in the ordinary course of the post.

31 Rewards

- (1) The local government may, by public notice, offer a reward for information leading to the conviction of a person for:
 - (a) an offence involving damage to, or theft of, property of the local government or under the local government’s control; or
 - (b) an offence against a local law.
- (2) The amount of the reward, and the conditions on which it is payable, must be decided by resolution of the local government.

32 Direction to leave a local government controlled area or road

- (1) If an authorised person believes on reasonable grounds a person on a local government controlled area or road is contravening or has just contravened a provision of a local law the authorised person may direct the person to:
 - (a) leave the local government controlled area or road:
 - (i) within a stated reasonable time; or
 - (ii) immediately if the authorised person believes on reasonable grounds the contravention is serious or is a flagrant disregard for the provision of a local law; ~~and~~;
 - (b) not to re-enter the local government controlled area or road for a stated reasonable period of not more than 3 calendar days.
- (2) The person must comply with a direction given to the person under section 32(1) ~~(Direction to leave a local government controlled area or road)~~ of this local law, unless the person has a reasonable excuse for not complying with it.

Maximum penalty ~~for subsection (2)~~—50 penalty units
- (3) A person given a direction under section 32(1) of this local law to leave a local government controlled area or road must not re-enter the local government controlled area or road unless the person has a reasonable excuse for the re-entry with the period stated in the direction.

Maximum penalty ~~for subsection (3)~~—20 penalty units
- (4) A person who has been given a direction under section 32(1)(b) ~~(Direction to leave a local government controlled area or road)~~ of this local law may make a written request for permission from the local government to re-enter the local government controlled area or road.
- (5) If the local government receives a written request under section ~~32~~31(3) ~~(Direction to leave a local government controlled area or road)~~ of this local law, the local government must grant a permission where it reasonably believes that the person will not commit a further contravention of a local law.

33 Directions generally

- (1) An authorised person may direct a person committing a breach of a local law to:
 - (a) cease any conduct or activity which constitutes a breach of the local law; and
 - (b) take such action determined by an authorised person to ensure that the person does not commit a breach of this local law.
- (2) A person must comply with a direction of an authorised person made pursuant to this local law.

Maximum penalty ~~for subsection (2)~~—50 penalty units.

Part 6 Offences and matters relating to legal proceedings

34 Proceedings in the name of the local government

Summary proceedings for the recovery of any penalties or moneys payable in respect of any offence against any local law of the local government or any other Act or Regulation, local law or statutory instrument which the local government administers, superintends, or enforces, may be instituted by the local government under the *Justices Act 1886-1980* by the complaints of the local government.

35 Proceedings other than summary proceedings

The local government may, ~~if in its opinion summary proceedings would afford an inadequate or ineffective remedy, and notwithstanding that summary proceedings have not previously been taken or that such proceedings having been commenced have not been adjudicated upon,~~ cause any proceedings to be taken against any person in the Supreme Court, even if summary proceedings have not previously been commenced in relation to the matter:

- (a) to enforce the abatement or ~~prohibition or restraint of compliance with~~ any breach of the local laws of the local government or of any Act or regulation administered by the local government;
- (b) to enforce compliance with any order made under any Act, local law or regulation; or
- (c) for the recovery of any penalties or expenses from, or for the punishment of, any person offending against any local law or any such Act or regulation.

36 No abridgment of proceedings

The provisions of this Part shall be deemed to be in addition to and not to abridge or affect any right, remedy, or proceeding at common law or under any Act, local law or regulation.

37 Continuing offence

- (1) This section applies where it is an offence to fail to comply with the requirements of:
 - (a) a local law;
 - (b) a subordinate local law; ~~or~~
 - (c) any direction, order, notice, requirement or the like made under the authority of any local law or subordinate local law.
- (2) The person who fails to comply shall be guilty of an offence, which shall be a continuing offence for every day on which such failure continues.
- (3) The daily penalty for an offence under this section is 1 penalty unit per day, with the maximum penalty that can be imposed set at 500 penalty units.

38 Offence for prescribed activity without permits and conditions

- (1) This section applies to a prescribed activity mentioned in:
 - (a) section 6(a); or
 - (b) section 6(b) if the Local Government Act that authorises the local government to grant the approval is a local law.
- (2) A person must not undertake the prescribed activity without a current permit granted by the local government or contrary to a condition of a permit.

Maximum penalty ~~for subsection (2)~~:

- (a) for an activity for which no category has been declared by local law or subordinate local law—50 penalty units;
 - (b) for a category 1 activity—50 penalty units;
 - (c) for a category 2 activity—200 penalty units; or
 - (d) for a category 3 activity—500 penalty units.
- (3) A local government may, by local law, declare that subsection (2) does not apply to a prescribed activity or a particular activity that is within the category of a prescribed activity.

Example:

A local law may declare that subsection (2) does not apply to installation of a specified type of advertising device (for example, a device prescribed as a 'permitted advertising device'). These permitted advertising devices would not require an approval under this part but other types of advertising devices would continue to require an approval.

- (4) In this section:

category 1 activity means a prescribed activity that is identified as a category 1 activity by a local law.

category 2 activity means a prescribed activity that is identified as a category 2 activity by a local law.

category 3 activity means a prescribed activity that is identified as a category 3 activity by a local law.

current permit means a permit that is in force and has not been suspended at the time the prescribed activity is being undertaken.

39 Offence for non-prescribed activity requiring a permit and conditions

- (1) This section applies to any permit required and conditions imposed by a local law other than for a prescribed activity.
- (2) A person must not undertake an activity without a current permit granted by the local government or contrary to a condition of a permit.

Maximum penalty—50 penalty units.

40 General defences

- (1) In a proceeding under a local law against the owner or occupier of land for an offence relating to an act or omission with respect to the land, it is a defence for the owner or occupier to prove that:
 - (a) the act or omission occurred without the owner's or occupier's knowledge or consent; and
 - (b) the owner or occupier could not, by reasonable diligence, have prevented the act or omission.
- (2) If a person is charged with an offence involving a contravention of a local law, it is a defence to provide that the person had a reasonable excuse for the contravention.

41 Joint and several liability

- (1) If a local law imposes a liability on an owner or occupier of property, or a person engaged in a particular activity, and 2 or more persons are the owners or occupiers of the relevant property, or are jointly engaged in the relevant activity, the liability is joint and several.
- (2) This section applies both to civil liabilities and liabilities enforced by summary proceedings under the *Justices Act 1886*.

42 Executive officer

- (1) The executive officers of a corporation must ensure the corporation complies with all local laws.
- (2) If a corporation commits an offence against a provision of a local law, each of the corporation's executive officers also commits an offence, namely, the offence of failing to ensure the corporation complies with the provision.
 Maximum penalty ~~for subsection (2)~~—the penalty for the contravention of the provision by an individual.
- (3) Evidence that the corporation has been convicted of an offence against a provision of a local law is evidence that each of the executive officers committed the offence of failing to ensure the corporation complies with the provision.
- (4) However, it is a defence for an executive officer to prove:
 - (a) if the officer was in a position to influence the conduct of the corporation in relation to the offence, the officer exercised reasonable diligence to ensure the corporation complied with the provision; or

- (b) the officer was not in a position to influence the conduct of the corporation in relation to the offence.

43 Presumptions about advertising devices

- (1) This section applies to a prosecution for an offence against *Local Law No. 4 (Advertising Devices) 2019* in relation to an advertising device.
- (2) Each person whose product or services is advertised on the advertising device is taken to undertake the advertising device activity, unless the person proves the advertisement was undertaken without the person's knowledge or permission.

44 Evidentiary provisions

- (1) The production of a copy of a record or an extract from a record of the local government relating to the proceedings of the local government, a committee of the local government or board of which the local government is a member shall be prima facie evidence in Court of:
 - (a) the person attending;
 - (b) the time and place of the proceeding;
 - (c) the content of any agenda and discussions; and
 - (d) any resolutions passed or actions resolved provided that the copy of the record is signed by the chief executive officer certifying that it is a true copy of a record of the local government.
- (2) In any proceedings for a breach of the local laws, the Act or regulation the appointment of any officers of the local government, and the authority of any officer to do any act shall be presumed until the contrary is provided.
- (3) The production of any map or extract from a map made by the local government signed by the chief executive officer certifying that it is a true copy of a record of the local government shall be prima facie evidence of the matters stated or delineated on the map.
- (4) The production of a copy of a certificate of title, memorandum of transfer, or other instrument creating an interest in land shall be prima facie evidence the person named therein:
 - (a) is the registered proprietor; or
 - (b) is entitled to an interest in that land.
- (5) All courts and persons acting judicially shall take judicial notice of the signature of any person who holds or has held the office of mayor or chief executive officer and the fact that such person holds or has held such office if the signature purports:
 - (a) to be attached to any document; and
 - (b) to have been made by the mayor or chief executive officer.

- (6) All courts and persons acting judicially shall take judicial notice of the Seal affixed to any Deed, instrument or other document and shall presume that it was duly affixed.
- (7) The signature of a person holding public office signing any deed, instrument or other document will be prima facie evidence that the person was authorised to sign it, until the contrary is proved.
- (8) In any prosecution for a breach of the provisions of any local law, every allegation or averment contained in the complaint shall be prima facie evidence of the matter so alleged or averred.

This section shall apply to any matter alleged or averred although:

- (a) evidence in support or rebuttal of the matter alleged or averred or any other matter is given;
 - (b) the matter alleged or averred is a mixed question of law and fact, but in that case the allegation or averment shall be prima facie evidence of the fact only; or
 - (c) any evidence given in support or rebuttal of matter so alleged or averred shall be considered on its merits, and the credibility and probative value of such evidence shall be neither increased nor diminished by reasons of this local law.
- (9) This local law shall not lessen or affect any onus of proof otherwise falling on the defendant.
 - (10) This local law shall not derogate from the averment provisions of any other Act.

45 Proof of intoxicating liquor

- (1) For the purposes of any proceedings for a suspected breach of *Local Law No.11 (Local Government Controlled Areas and Roads) 2016*, a certificate purporting to be signed by an analyst within the meaning of Section 153Z of the *Public Health Act 20051937*, stating that any fluid is an intoxicating liquor, as herein defined, shall be evidence that the fluid was an intoxicating liquor.
- (2) In a statement in a complaint for an offence it is claimed that a fluid was packed in a container of a type that usually holds liquor, the statement is evidence that the fluid was liquor.

46 Recovery of damages, expenses etc.

- (1) When any person is convicted of an offence against any provision of any Act conferring powers, rights, privileges, or authorities on the local government, or against any local law of the local government, the local government shall have the right to recover from such person, in addition to any penalty that may be imposed:
 - (a) the amount of any damage or expense sustained by it through the act or default constituting such offence: and

- (b) all fees, rates, charges, fares, rents, dues, and other amounts, the omission to pay which was an element in or was in any way related to such offence, but not more than \$2000 in all in addition to the penalty.
- (2) The Court in which the conviction is made shall have jurisdiction to award the amount of such damage, expense, fees, rates, charges, fares, rents, dues, or other amounts (but not exceeding \$2000) on application made by or on behalf of the local government, and to make such order as to the mode of recovering the said amount in default of payment as it may make when inflicting a fine or penalty.
- (3) Instead of applying to such Court for payment the local government may, in its discretion, whether proceedings for an offence have been instituted or not, sue for the full amount of such damage, expense, fees, rates, charges, fares, rents, dues, or other amounts in any Court of competent jurisdiction.

Part 7 Miscellaneous

47 Maintenance of good order at meetings

- (1) A person who is not a member of the local government or a local government committee must not obstruct the proper conduct of a meeting of the local government or committee.

Maximum penalty ~~for subsection (1)~~—20 penalty units.

- (2) If a person (other than a member) obstructs the proper conduct of a meeting of the local government or committee, the chairperson may ask the person to withdraw from the meeting place.
- (3) A person asked to withdraw from a meeting place under subsection (2) must immediately withdraw from the place and remain away until the end of the meeting or for a lesser period fixed by the chairperson.

Maximum penalty ~~for subsection (3)~~—20 penalty units.

- (4) If a person contravenes subsection (3), an authorised person may, at the request of the chairperson, exercise reasonable force to remove the person, and keep the person away from the meeting place.
- (5) The local government may by resolution make standing orders for council meetings.
- (6) The local government meetings shall be conducted in accordance with the standing orders current from time to time.
- (7) The chief executive officer shall maintain a copy of the current standing orders and have them available at meetings.

48 Fees

- (1) If a local law provides for payment of a fee, and does not itself fix the amount of the fee, the fee is to be fixed by resolution under the [LGAA Act](#), [Chapter 4](#), [Part 2](#).

- (2) A resolution fixing a fee may provide for the reimbursement of the fee in appropriate circumstances.

Example:

Suppose that a person pays a permit fee appropriate to an approval of 1 year's duration but, because of unforeseen circumstances, surrenders the approval within 3 months after it is granted. A resolution might provide that, in such a case, the former permit holder is to receive a partial reimbursement of the permit fee.

- (3) Unless specific provision to the contrary is made in the local law or resolution fixing a fee, the local government may, in an appropriate case, waive or partially remit a fee.
- (4) The factors taken into account by the local government in deciding whether or not to reimburse a fee, waive a fee or partially remit a fee under this section, include:

- (a) whether or not the activities of local government give rise to the need for the reimbursement, waiver or partial remission.

Example:

the local government undertakes roadworks along a stretch of road which has a negative impact to a business along that stretch of road.

- (b) If the person who holds a permit has to surrender that permit on reasonable grounds, and can provide evidence satisfactory to the local government as to the reasonable grounds for the surrender.

49 Impounding goods

- (1) This section applies where an authorised person considers on reasonable grounds that goods have been abandoned or found in circumstances that constitute an offence under the local laws or an Act.
- (2) The authorised person may seize and impound the goods.
- (3) This section and section 50 do not apply to animals which are dealt with separately in *Local Law No. 2 (Animal Management) 2016*.

50 Dealing with seized and impounded goods

- (1) This section applies where:
- (a) an authorised person has exercised a power under a local law to seize and impound a structure, thing or goods (an ***impounded item***); or
- (b) the local government has impounded an item that has been delivered into its custody pursuant to a local law (also an ***impounded item***) and the local law states that this section is to apply.
- (2) This section does not apply to an impounded item that is an animal.
- (3) If the impounded item is perishable, it may be immediately disposed of as the chief executive officer directs and the proceeds applied in accordance with subsection (6).

- (4) If the impounded item ~~is an abandoned or hazardously placed vehicle or tram~~ has been seized under section 27(1)(d), the chief executive officer shall give a notice in writing to the owner of an item seized under this local law as soon as practicable after the item is seized, if the owner of the vehicle or tram can be readily ascertained by the local government.
- (5) A person may only reclaim the impounded item if:
- written application is made to the chief executive officer;
 - proof is produced to the satisfaction of the chief executive officer that the applicant is the owner of the item;
 - the applicant pays the prescribed fee for the impounding of the item; and
 - the applicant pays for costs associated with the impounding under section 27(~~52~~) of this local law.
- (6) ~~If an impounded item is not reclaimed within 1 month. At the expiry of 1 month after the giving of the notice under subsection (4), or if the owner of the structure or thing cannot be located, at the expiry of 1 month since after~~ the date of impounding, the impounded item is forfeited to the local government, which may dispose of the item:
- if it has no commercial value or has a value that would not cover the costs of sale of the item ~~—~~, as the chief executive officer directs; or
 - by sale through:
 - public auction or tender, following an advertisement published at least 14 days before the date of the proposed sale;
 - an agent of the local government; or
 - an enterprise owned by the local government; and
 - if it has been offered for sale under paragraph (b)(i or ii) but has not been sold within a reasonable period ~~—~~, as the chief executive officer directs.
- (7) The proceeds of the sale or disposal of the impounded item must be applied in the following ~~alphabetical sequence applied order~~:
- in payment of the reasonable expenses incurred in selling or disposing of the property;
 - in payment of the prescribed fee for seizing and holding the property;
 - if there is an amount owing to an entity under a security interest registered for the property under the *Personal Property Securities Act 2009* (Cwlth), in payment of the amount owing under the security interest; and
 - in payment of the balance to the owner of the property.
- (8) If no person establishes a valid claim to the amount to which the former owner is entitled under subsection (7)(d) by the date the item is sold or disposed of

under subsections(6)(b) and (6)(c), the amount becomes the property of the local government.

(9) For seizure of a vehicle or tram under section 27(1)(d), a vehicle that has been sold under subsection (6):

(a) passes free of all security interests; and

~~(a)~~(b) upon completion of the disposal, each of a secured party's security interest and owner's proprietary interest in the vehicle converts to an entitlement to receive sale proceeds, distributed in accordance with subsection (7).

~~(8)~~(10) It is an offence to take an impounded item contrary to subsection (5).

Maximum penalty ~~for subsection (9)~~—50 penalty units.

51 Transitional provisions

- (1) Existing approvals under the repealed local laws continue to have force and effect after the current local laws are made for the balance of their term.
- (2) Offences in relation to breaches of existing approvals under the repealed local laws will continue to be dealt with under the repealed local laws.
- (3) Applications made under the repealed local laws but not decided prior to current local laws having force and effect will be decided under the current local laws.
- (4) An existing approval under the repealed local laws will not be dealt with under the current local laws and once the term has expired will end.

Part 8 Subordinate local laws

52 Subordinate local laws

The local government may make subordinate local laws about:

- (a) application requirements for which a third party certifier's certificate may be accepted by the local government;
- (b) the individuals or organisations that are declared as third party certifiers for particular application requirements; or
- (c) the qualifications that are necessary for an individual or organisation to provide a third party certificate about particular application requirements.

Schedule 1 Dictionary

<p>Act means a law passed by an Act of the Queensland Parliament.</p>
<p>adornment means a floral tribute, ornament or other mementoes.</p>
<p>advertising area is the total area of an advertisement which is either:</p> <ul style="list-style-type: none"> (a) the area bounded by the framework of a panel or sign case and is calculated by multiplying the framework height and width dimension; or (b) where there is no framework in the case of lettering, logo and/or design applied to a wall, window, fence or awning fascia, the advertising area is calculated by drawing a rectangle or square around the extent of the advertising lettering, logo or designs and multiplying the height and width dimensions.
<p>advertising device means any structure, device, sign or the like intended for advertising purposes that is:</p> <ul style="list-style-type: none"> (a) external to a building and visible from a public place; or (b) internal to a building and visible from a road. <p>It includes any framework, supporting structure or building feature that is provided as part of the advertisement.</p> <p>A Variable message sign (VMS) is not an advertising device where it only provides information about roadworks or a local government supported event.</p>
<p>aircraft sign means an advertising device that is attached to a manned or unmanned aircraft.</p> <p>An aircraft sign does not include:</p> <ul style="list-style-type: none"> (a) aircraft branding; or (b) advertising on the envelope or the basket of a hot air balloon.
<p>allotment means an individual parcel or piece of land.</p>
<p>alteration or improvement to local government controlled areas or roads means:</p> <ul style="list-style-type: none"> (a) installing, changing, damaging or removing a structure or thing in a local government controlled area or on a road; or (b) planting, clearing or damaging of vegetation in a local government controlled area or a road.
<p>ambient light levels means the light that is already present.</p>

<p>amend for a permit, includes varying a condition, removing a condition or adding a condition.</p>
<p>amusement device means any type of device or structure, regardless of any mechanical operation, including temporary or inflatable structures, that is used to provide entertainment for parties, events or other gatherings.</p>
<p>animal means an organism (other than a human being) that is not a plant and includes eggs and semen.</p>
<p>animal carer means a person who keeps the animal on the premises, receives no financial reward for keeping the animal on the premises and cares for the animal as a foster carer on behalf of an animal welfare agency.</p>
<p>animal refuge shelter means a premises maintained for the purpose of providing shelter to or finding a home for stray, abandoned or unwanted animals.</p>
<p>animal welfare agency means an organisation which finds homes for stray, abandoned or unwanted animals.</p>
<p>appropriate records in <i>Local Law No. 8 (Swimming Pools) 2016</i> means, as described in Appendix 76 – Records of Queensland Health’s Swimming and Spa Water Quality and Operational Guidelines for Public Aquatic Facilities.</p>
<p>approval includes a consent, permission, licence, permit or authorisation.</p>
<p>approved form means a form approved by the chief executive officer, <u>or delegate, for of</u> the local government laws.</p>
<p>Aquatic equipment means:</p> <ul style="list-style-type: none"> (a) a boat or vessel; (b) a surf ski; (c) a jet ski; (d) a surf board; (e) a sail board; (f) a body board; <u>or</u> (g) another device (whether motorised or not) for use on or in water to carry a person or thing across or through water or for recreational use in water; or <p>authorised person see the Act, Schedule 4.</p>
<p>Architectural features means parts of the building which are added to create visual interest and can include elements such as windows, doors, awnings, cornices, parapets columns and the like.</p>

<p>Assistance dog (other than guide dog) means:</p> <ul style="list-style-type: none"> (a) a dog that has been trained to assist the person to alleviate the effect of a disability; (b) a person with a disability is in control of the dog; (c) the<u>a</u> dog is providing assistance to their person to alleviate the effect of that disability; and (d) the<u>a</u> dog has been trained to comply with the standards of hygiene and behaviour comparable to those that apply to guide dogs.
<p>Attack, by an animal, means:</p> <ul style="list-style-type: none"> (a) aggressively rushing at or harassing any person or animal; (b) biting, butting, kicking, or otherwise causing physical injury to a person or an animal; or (c) tearing clothing on, or otherwise causing damage to the property in the immediate possession of, a person.
<p>Audible noise means noise that can be clearly heard by an individual who is an occupier of an affected building. An individual is taken to be able to clearly hear a noise if he or she can hear the noise from the part of the building occupied by the individual that is most exposed to the noise.</p>
<p>Authorised person means a person who is an authorised person for a local law under an Act.</p>
<p>Awning means a permanent, roof like structure, attached to and projecting from the wall of a building which is generally designed or constructed to provide pedestrians with protection against the weather.</p>
<p>Awning fascia sign means an advertising device painted on or affixed to the fascia of an awning.</p>
<p>Babinda Rotary Park is the land described as part of Lot 235 on NR6626, Lot 19 on RP86529 and Lots 7-14 on RP710062 located at Howard Kennedy Drive, Babinda, as outlined in yellow on the Map of Babinda Rotary Park attached to this Schedule.</p>
<p>Background noise means the background A-weighted sound pressure level under the prescribed standard measured as LA90,T and is obtained in the absence of the noise under investigation.</p>
<p>Banner sign means an advertising device that is:</p> <ul style="list-style-type: none"> (a) suspended between two or more points; and (b) affixed to any structure, tree, pole or the like; and

<p>(c) with or without a supporting framework; and</p> <p>(d) displaying an advertisement applied to paper, plastic, vinyl or the like.</p> <p>A banner sign is not a fence sign or a wall sign.</p>
<p>Banner pole sign means an advertising device that is a banner constructed of flexible material affixed to a free-standing pole that is not community infrastructure. The advertising area of a banner pole sign is taller than it is wide.</p> <p>A banner pole sign does not include a commercial flag sign.</p>
<p><u>Barbed Wire Fencing</u> means <u>fencing that contains strands of wire twisted together, with barbs at regular, close intervals.</u></p>
<p>Barlow Park is the land bounded by Scott Street, Severin Street and Spence Street as outlined in yellow on the Map of Barlow Park attached to this Schedule.</p>
<p>Bathing area see section 6 of <i>Local Law No. 13 (Bathing Reserves and Foreshores) 2016</i>.</p>
<p>Bathing includes all activities involving the immersion or partial immersion of the body in water.</p>
<p>Bathing reserve means a part of the seashore, adjacent land under the sea, and sea placed under the control of the local government as a bathing reserve under the Act.</p>
<p>BCCMA means the <i>Body Corporate and Community Management Act 1997</i>.</p>
<p>Beacon light means any light with one or more beams, capable of being directed in one or more directions, or capable of being revolved automatically and includes:</p> <ul style="list-style-type: none"> (a) a strobe or oscillating light; (b) any other high density discharge lamps; (c) any device capable of converting light of mixed frequencies into an intense beam of light; and (d) any other similar light emitting appliance.
<p>Best practice management for an activity is the best practice management adopted by the local government in any policy.</p>
<p>Billboard sign means an advertising device this is a free-standing structure greater than 2 metres in height, typically elevated from the ground and supported by one or more vertical supports. The advertising area of a billboard sign is wider than it is tall.</p>

<p>Birds means all birds other than noisy birds, special birds, poultry, roosters and racing pigeons.</p>
<p>Blind or canopy sign means an advertising device that is printed or painted on, or is affixed to or forms part of a blind or canopy that is constructed of solid or flexible material suspended from the building.</p>
<p>Boulders Camping Ground is the land described as part of Lot 1 on RP746361, located at Boulders Road, Babinda as outlined in yellow on the Map of Boulders Camping Ground attached to this Schedule.</p>
<p>Breeding means giving birth to progeny.</p>
<p>BUGTA means the <i>Building Units and Group Titles Act 1980</i>, but only to the extent of its continued application for the BCCMA.</p>
<p><u>Burial of human remains means the process of interring a human body or part of a human body into the ground or into an aboveground structure.</u></p>
<p><u>Burial Right Holder means the person recorded in the local government's records who holds as the right, and retains the responsibilities, s—and responsibilities—over the future interment or inurnment of human remains (including future exhumation or disinterring of ashes) within a specified location of a local government cemetery, and includes the right for future installation and/or repair of a memorial for the of a nominated gravesite which might include to install or repair a memorial, exhume human remains or disinter ashes within a local government cemetery.</u></p>
<p>Bunting sign means an advertising device that is a series of small flags, pennants, streamers, ribbons or the like, constructed of flexible material, suspended from a rope, cable or the like.</p>
<p>Busking sign means an advertising device that advertises a busking activity carried out in accordance with a relevant permit.</p>
<p>Cairns Botanic Gardens is the land bounded by Goodwin Street, McCormack Street and Collins Avenue, Greenslopes Street and Lily Creek as outlined in yellow on the Map of Cairns Botanic Gardens attached to this Schedule.</p>
<p>Cairns Esplanade Lagoon is the land within the Lagoon Pool, adjacent timber deck areas, and sandy beach as outlined in yellow on the Map of Cairns Esplanade Lagoon attached to this Schedule.</p>
<p>Cairns Esplanade Reserve is the land from Marlin Parade in the south to Lily Street in the north, situated to the east or seaward side of the Esplanade roadway as outlined in yellow on the Map of Cairns Esplanade Reserve attached to this Schedule.</p>

<p>Camping grounds operation means to permit access to, or use of, a commercial camping ground but does not include a caravan park.</p>
<p>Camping means:</p> <ul style="list-style-type: none"> (a) to pitch, place or erect a tent, caravan or structure that may be used for camping for the purpose of staying overnight <u>or temporarily</u> by using the tent, caravan or structure; (b) to park or place a vehicle or other equipment that may be used for camping, for the purpose of staying overnight <u>or temporarily</u> by using the vehicle or equipment; (c) to keep a tent, caravan, structure, vehicle or other equipment that may be used for camping in position overnight <u>or temporarily</u>, whether or not the tent, caravan, structure or equipment is unattended; or (d) to stay overnight <u>or temporarily</u>.
<p>Candelas means a measurement of luminous intensity (luminance output) from a point source.</p>
<p><u>Cane railway infrastructure</u> means:</p> <ul style="list-style-type: none"> (a) <u>the railway track and its supporting and associated structures built for the railway (including earthworks, drainage infrastructure, roads, fencing and bridges); and</u> (b) <u>all stations and installations for loading or unloading sugar cane, sugar or sugar cane by-products; and</u> (c) <u>all crossings, traffic control devices and other installations associated with the railway.</u>
<p>Cane railways operation means the operation of a tramway or railway:</p> <ul style="list-style-type: none"> (a) operated, entirely or partly, on an access right under the <i>Sugar Industry Act 1999</i>, chapter 2, part 4; and (b) used, or proposed to be used, to transport sugar cane, sugar or sugar cane by-products; and (c) that does not transport passengers or other freight for reward.
<p><u>Cane railway train</u> means <u>a conveyance or group of connected conveyances that travel on a rail or rails of a railway or sugar tramway.</u></p>
<p>Caravan see <i>Residential Tenancies and Rooming Accommodation Act 2008</i>, section 7.</p>
<p>Caravan parks operation means to operate, on a commercial basis, a place for parking and residing in caravans, including a place that provides also for complementary accommodation.</p>

<p>cat means an animal of the species <i>Felis Catus</i> or domestic cat.</p>
<p>CBD means the whole of the Cairns Central Business District bounded by Florence Street from the Esplanade to McLeod Street, McLeod Street from Florence Street to Spence Street, Spence Street from McLeod Street to Sheridan Street, Sheridan Street from Spence Street to Hartley Street, Hartley Street from Sheridan Street to Lake Street, along Lake Street to Wharf Street, along Wharf Street to the Esplanade and the Esplanade from Spence Street to Florence Street, and includes street frontages on both side of all of the relevant streets, including both sides of the boundary streets, as outlined in yellow on the Map of CBD, attached to this Schedule.</p>
<p><u>Cemetery means the approved use of premises for the interment of human bodies or ashes after following the death of a person.</u></p>
<p>Central animal prohibition area means the whole of the Central Animal Prohibition Area bounded by Aplin Street from the Esplanade to McLeod Street, McLeod Street from Aplin Street to Spence Street, Spence Street from McLeod Street to Sheridan Street, Sheridan Street from Spence Street to Wharf Street, Wharf Street from Sheridan Street to the Esplanade and the Esplanade from Wharf Street to Aplin Street, (but excludes the eastern footpath adjacent to the Esplanade road between Aplin Street and Spence Street), the area from Aplin Street along the walkway to Spence Street, Pier Point Road, Pier Point Road to the sea wall, along the sea wall to a point opposite the Northern boundary of Aplin Street and includes street frontages on both side of all of the relevant streets, as outlined in yellow on the Map of central animal prohibition area, attached to this Schedule.</p>
<p>Centre zone means the following zones within the planning scheme:</p> <ul style="list-style-type: none"> (a) Principal centre zone; (b) Major centre zone; (c) District centre zone; (d) Local centre zone; (e) Neighbourhood centre zone.
<p>Check meter means a meter used as a guide to determine whether a primary meter is out of repair rather than for the purpose of determining water consumption or water usage charges.</p>
<p>Collection notice for a shopping trolley means a notice stating:</p> <ul style="list-style-type: none"> (a) that the retailer's shopping trolley or shopping trolleys to which the notice relates have been found outside the retail premises; (b) the location at which the shopping trolley or trolleys have been found;

- (c) the period of not less than 2 business days within which the shopping
- (d) trolley or trolleys must be collected and removed by the retailer; and
- (e) that it is an offence not to collect and remove a shopping trolley to which the notice relates within the period stated in the notice.

Columbarium means a wall or walls constructed for the purpose of [interment inurnment](#) of [an urn containing](#) the ashes of a deceased person.

Commercial flag sign means an advertising device that is a flag used for commercial advertising, that is constructed of flexible material and is hung from a free-standing pole. The advertising area of a commercial flag sign is wider than it is tall.

A Commercial flag sign does not include a Banner pole sign.

[commercial premises](#) for [Local Law No. 15 \(Waste Management\) 2023](#) has the same meaning as in the [Environmental Protection Regulation 2019](#) and means any of the following types of premises:

- [\(a\) a hotel, motel, caravan park, cafe, food store or canteen;](#)
- [\(b\) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;](#)
- [\(c\) premises where a sport or game is ordinarily played in public;](#)
- [\(d\) an exhibition ground, show ground or racecourse;](#)
- [\(e\) an office, shop or other premises where business or work, other than a manufacturing process, is carried out.](#)

[commercial use activity](#) means the use of a local government controlled area and/or road for a commercial purpose, and includes:

- [\(a\) footpath dining;](#)
- [\(b\) stationary or mobile roadside vending;](#)
- [\(c\) goods for sale;](#)
- [\(d\) busking;](#)
- [\(e\) conducting fireworks displays;](#)
- [\(f\) commercial filming or photography, and includes commercial filming or photography that involves the lighting or maintaining of a fire;](#)
- [\(g\) helicopter take off or landings;](#)
- [\(h\) skydiving landings;](#)
- [\(i\) market stalls, whether one or more than one, that involve the sale of goods or services;](#)

<p><u>(j) a type of activity that is conducted for the purpose of organized sport, education, recreation or tourism that is undertaken by participants only; and</u></p> <p><u>(k) training events or tours.</u></p> <p><u>but does not include the operation of a Temporary Entertainment Event.</u></p>
<p>Commercial vehicle means a commercial vehicle as defined in the TORUM Act.</p>
<p>Commercial waste means waste, other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial premises.</p>
<p>Common property has the meaning given to it in the BCCMA.</p>
<p>Community information advertising means an advertising device used to display information that is about:</p> <ul style="list-style-type: none"> (a) a community event; or (b) a public place; or (c) public amenities or facilities. <p>Community information advertising does not include advertising that provides a commercial benefit.</p>
<p>Community infrastructure sign means an advertising device that is painted on or affixed to community infrastructure.</p> <p><i>Note: For the purpose of this definition community infrastructure means street furniture or other infrastructure located on a local government controlled area or road.</i></p>
<p>Complementary accommodation means:</p> <ul style="list-style-type: none"> (a) accommodation in an on-site caravan; (b) cabin or a tent or other structure that can be readily assembled and disassembled; (c) registered caravans; (d) demountable units; and (e) relocatable homes.
<p>Compliance notice means a compliance notice mentioned in <i>Local Law No.1 (Administration) 2016</i>.</p>
<p>Conservation planning area means any land that is in a zone/planning area under the planning scheme of the local government that recognises the high environmental values of that area and the preservation of those values.</p>

<p>Construction equipment means equipment, plant or machinery used during the construction of a development (for example, a crane, temporary site offices, scaffolding).</p>
<p>Construction sign means a temporary advertising device that advertises the name of the development, the developer or on-site contractors during the construction of a development. A Construction sign may be used to screen construction activities or used to provide information about the construction of the development.</p> <p>A construction sign includes scrim wrap on scaffolding, fencing or other construction equipment.</p>
<p>Contractors sign means an advertising device that advertises the name or business name and logo of a contractor that is undertaking work or has undertaken work on a site.</p>
<p>Cost-recovery fee means the fee fixed by the local government to cover the costs associated with impounding an animal.</p>
<p>Current local laws mean:</p> <p><i>Local Law No. 1 (Administration) 2016</i></p> <p><i>Local Law No. 2. (Animal Management) 2016</i></p> <p><i>Subordinate Local Law. No. 2 (Animal Management) 2016</i></p> <p><i>Local Law No. 3 (Community and Environment) 2016</i></p> <p><i>Subordinate Local Law. No. 3 (Community and Environment) 2016</i></p> <p><i>Local Law No. 4 (Advertising Devices) 2019</i></p> <p><i>Local Law No. 5 (Temporary Homes) 2016</i></p> <p><i>Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016</i></p> <p><i>Local Law No. 7 (Human Remains and Cemeteries) 2016</i></p> <p><i>Local Law No. 8 (Swimming Pools) 2016</i></p> <p><i>Local Law No. 9 (Temporary Entertainment Events) 2016</i></p> <p><i>Local Law No. 10 (Cane Railways) 2016</i></p> <p><i>Local Law No. 11 (Local Government Controlled Areas and Roads) 2016</i></p> <p><i>Subordinate Local Law. No. 11 (Local Government Controlled Areas and Roads) 2016</i></p> <p><i>Local Law No. 12 (Parking) 2016</i></p> <p><i>Subordinate Local Law. No. 12 (Parking) 2016</i></p>

<p><i>Local Law No. 13 (Bathing Reserves and Foreshores) 2016</i></p> <p><i>Subordinate Local Law No. 13 (Bathing Reserves and Foreshores) 2016</i></p> <p><i>Local Law No. 14 (Town Water) 2016</i></p> <p>Local Law No. 15 (Waste Management) 2023</p>
<p><i>dangerous item of aquatic equipment</i> means an item of aquatic equipment that is of such a nature that, in the absence of care or precaution in its use or management, the life, safety or health of any person may be endangered.</p> <p><i>Examples of dangerous items of aquatic equipment:</i></p> <p>(a) <i>A surfboard with sharp or broken edges.</i></p> <p>(b) <i>A boat with projections liable to cause injury to bathers.</i></p>
<p><i>Dangerous object</i> means an object that is of such a nature that, in the absence of care or precaution in its use or management, the life, safety or health of any person may be endangered.</p>
<p><i>dB(A)</i> means decibels measured on the ‘A’ frequency weighting network.</p>
<p><i>Declared dangerous animal</i> means an animal (other than a dog), declared by an authorised person under section 37(1) of <i>Local Law No. 2 (Animal Management) 2016</i> to be a declared dangerous animal.</p>
<p><i>Declared local pest</i> means a plant or animal declared to be a pest under <i>Local Law No.3 Community and Environment) 2016</i>.</p>
<p><i>Designated meter reading cycle</i> means the designated frequency for meter reading as determined by the local government under section 14 of <i>Local Law No. 14 (Town Water) 2016</i>.</p>
<p><u>d</u>Destroy for an animal, includes causing it to be destroyed.</p>
<p><u>d</u>Destruction order see <i>Local Law No.2 (Animal Management) 2016</i>.</p>
<p><u>development</u> has the same meaning as in the Planning Act and means:</p> <p>(a) <u>carrying out—</u></p> <p>(i) <u>Building work; or</u></p> <p>(ii) <u>Plumbing or drainage work; or</u></p> <p>(iii) <u>Operational works; or</u></p> <p>(b) <u>reconfiguring a lot; or</u></p> <p>(c) <u>making a material change of use of premises.</u></p>

<p>development approval means a development approval issued under a Planning Act.</p>
<p>Digital sign means an advertising device with an electronic display including LED, LCD, plasma or the like.</p> <p>A digital sign may display images and / or words.</p>
<p>Directional sign means an advertising device used to provide information about the location of or direction to a place.</p>
<p>Distribute a business advertising publication:</p> <p>(a) includes making the business advertising publication available to other persons; but</p> <p>(b) does not include merely display of the business advertising publication.</p> <p><i>Examples:</i></p> <p><i>A person “distributes” a business advertising publication if the person hands the business advertising publication out to other persons or leaves it at a place for other persons to take away, including posting the business advertising publication on a car windscreen.</i></p> <p><i>A person does not “distribute” a business advertising publication if the person attaches the business advertising publication onto walls and other structures, merely for display.</i></p>
<p>Disturbance of human remains <u>means the</u> interfering with <u>human</u> remains, removal of <u>human</u> remains and or the opening of a site of burial <u>in which human remains are contained</u>.</p>
<p>Dog means an animal of the species <i>Canis Lupus Familiaris</i>, or domestic dog.</p>
<p>Dog off-leash area see <i>Local Law No.2 (Animal Management) 2016</i>.</p>
<p>DOGIT land means land that is DOGIT land under the <i>Aboriginal Land Act 1991</i>, section 13, or the <i>Torres Strait Islander Land Act 1991</i>, section 12.</p>
<p><u>domestic clean-up waste means non-putrescible, dry and inoffensive waste, other than green waste or recyclable waste, produced as a result of a cleanup of domestic premises.</u></p>
<p><u>Domestic premises for <i>Local Law No. 15 (Waste Management) 2023</i> has the same meaning as in the <i>Environmental Protection Regulation 2019</i> and means any of the following types of premises:</u></p> <p><u>(a) a single unit private dwelling;</u></p> <p><u>(b) premises containing 2 or more separate flats, apartments or other dwelling units;</u></p> <p><u>(c) a boarding house, hostel, lodging house or guest house.</u></p>

<p>Domestic waste means waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.</p> <p><u>Examples of domestic waste—</u></p> <p><u>Organic food waste other than regulated waste.</u></p> <p><u>Regulated waste includes food processing waste and liquid food processing waste.</u></p>
<p>Drainage easement means a public utility easement in favour of the local government for drainage purposes <u>and private easement for drainage purposes.</u></p>
<p>Dual occupancy means premises containing two dwellings, each for a separate household, and consisting of:</p> <ul style="list-style-type: none"> (a) a single lot, where neither dwelling is a secondary dwelling; or (b) two lots sharing common property where one dwelling is located on each lot.
<p>Dwell time means the length of time an advertisement is shown on screen before changing.</p>
<p>Dwelling means a building or part of a building used or capable of being used as a self-contained residence that must include the following:</p> <ul style="list-style-type: none"> (a) food preparation facilities; and (b) a bath or shower; and (c) a toilet and wash basin; and (d) clothes washing facilities. <p>This term includes outbuildings, structures and works normally associated with a dwelling.</p>
<p><u>EDA means an extreme disablement adjustment as embossed on a Commonwealth Department of Veteran Affairs' Gold Card.</u></p>
<p>Effective control see <i>Local Law No.2 (Animal Management) 2016.</i></p>
<p>Election sign means a temporary advertising device that advertises a candidate and/or political party at a local, state or federal government election.</p>
<p><u>Electric fencing means fencing that has an electrical component that is powered by energisers supplied from all types of electric power sources such as batteries, solar cells, diesel or petrol generators, and the electricity supply mains.</u></p>
<p><u>Electric security fencing means electric fencing that is not intended primarily for:</u></p> <ul style="list-style-type: none"> (a) <u>the control or containment of animals;</u>

<p><u>(b) installations in hazardous areas; or</u></p> <p><u>(c) electric fence systems in which the electrified elements operate at safety extra-low voltage (SELV), and are intended solely to detect the presence of intruders.</u></p>
<p><u>eEmergency vehicle means a vehicle driven by a person in the course of performing duties as an emergency worker, and includes the following:</u></p> <p>(a) an ambulance; and</p> <p>(b) a fire-engine; and</p> <p>(c) a police vehicle; or <u>and</u></p> <p>(d) another vehicle, including a tow truck, helicopter or mobile crane, if used in circumstances of an emergency.</p>
<p>entertainment includes recreation and amusement.</p>
<p><u>environmental authority has the meaning as in the <i>Environmental Protection Act 1994</i>.</u></p>
<p>environmental harm <u>has the same meaning as in the see <i>Environmental Protection Act 1994</i>, section 14.</u></p>
<p>existing or approved premises means premises for which a development approval for the carrying out of building work has been given as at the commencement of this local law.</p>
<p>externally illuminated means the illumination of an advertising device by an external light source, including but not limited to spotlights, down lights or up lights.</p>
<p>extraordinary traffic means traffic <u>that</u>:</p> <p>(a) that involves building removal;</p> <p>(b) that would in the authorised person's opinion cause damage to the local government road beyond that caused by the ordinary traffic on the local government road;</p> <p>(c) that in the authorised person's opinion is substantially different to the ordinary traffic on a local government road; or</p> <p>(d) that would in the authorised person's opinion give rise to a risk of:</p> <p>(i) harm to human health or safety or personal injury;</p> <p>(ii) property damage or damage to the local government road; or</p> <p>(iii) interference with a local government road.</p>
<p>fence sign means an advertising device painted on or affixed to a fence.</p>

<p>A fence sign is not a construction sign or a banner sign.</p>
<p>fireplace means an outdoor structure which may be fixed or moveable, constructed of stone, brick or metal or similar material, for keeping a small contained fire for the purpose of:</p> <p>(a) cooking (e.g. a BBQ); <u>or</u></p> <p>(b) heating (e.g. Mexican fire pit or small kiln);</p> <p>however:</p> <p>(a) it does not include an incinerator or other structure for the purpose of disposing of a carcass, garden waste or other combustible waste; and</p> <p>(b) must not exceed the dimensions of 1m².</p>
<p>foreshore means the land lying between high water mark and low water mark during ordinary spring tides.</p>
<p><u>funeral means any burial, ashes inurnment or any related memorial service conducted in a local government cemetery.</u></p>
<p><u>funeral director means a person (other than the operator of a mortuary transport service) who, in the conduct of the person's business engages, for the purpose of burial, cremation or transport, in the collection, transport, storage, preparation or embalming of bodies or engages in the conduct of exhumations, and includes a person who plans and coordinates arrangements and carries out a funeral in relation to a deceased person.</u></p>
<p>garage sale sign means a temporary advertising device that advertises a garage sale at a dwelling.</p>
<p>garden of remembrance means any <u>approved</u> cemetery or part thereof set aside for the <u>scattering of ashes or placement</u> burial of ashes.</p>
<p>general activity includes use of a local government controlled area or road for:</p> <p>(a) soliciting or carrying on the supply of goods and services and includes:</p> <p>(i) footpath dining;</p> <p>(ii) stationary roadside vending;</p> <p>(iii) mobile road side vending;</p> <p>(iv) goods for sale on footpath/road (outside the CBD);</p> <p>(v) activity conducted wholly or partially for the purpose of sport, entertainment, education, tourism or recreation;</p> <p>(vi) busking;</p> <p>(vii) commercial filming /photography;</p>

- ~~(a) market stalls;~~
- ~~(a) weddings;~~
- ~~(b) research and scientific investigation;~~
- ~~(c) public education information and interest displays;~~
- ~~(d) fundraising;~~
- ~~(e) street parades;~~
- ~~(f) training events held on more than 1 day which involves payment of a fee; and~~
- ~~(g) extraordinary traffic.~~

~~General activity does not include a temporary entertainment event.~~

general waste means waste other than regulated waste and for part 2 of *Local Law No. 15 (Waste Management) 2023*, any of the following:

- (a) commercial waste;
- (b) domestic waste;
- (c) recyclable waste.

generator means an engine that converts mechanical energy into electricity to serve as a power source.

good order means structurally sound, not faded, damaged, mouldy, dirty or defaced in anyway.

goods means personal property that is moveable (including a vehicle) but does not include animals.

grass-cutter means an electrical or mechanical device a function of which is to cut grass.

Examples—brush-cutter, edge cutter, lawnmower, ride-on mower, string trimmer.

Greenpatch Campground is the land described as Lot 1 on SP305274 and Lot 2 on SP305274, located adjacent to the Bruce Highway, Gordonvale as outlined in yellow on the Map of Greenpatch Campground **attached** to this Schedule.

green waste means grass cuttings, trees, bushes, shrubs, loppings of trees, bushes or shrubs or similar matter produced as a result of the ordinary use or occupation of premises.

ground based sign means a free-standing advertising device with a height of 2 metres or less that is attached directly to the ground, or is supported by one of more vertical supports. The advertising area of a ground based sign is wider than it is tall.

<p><i>Note – where a sign would otherwise meet the definition of ground based sign but is greater than 2 metres in height, it is considered to be a billboard sign.</i></p>
<p><u>guide dog means a dog trained to be an effective guide for a person with disability attributable to a vision impairment and certified pursuant to the <i>Guide, Hearing and Assistance Dogs Act 2009</i>.</u></p>
<p>high water mark means the ordinary high water mark at spring tides.</p>
<p>hologram sign means an advertising device that uses a holographic display to create an image.</p>
<p>home based business sign means an advertising device associated with a lawfully established Home based business.</p>
<p>human remains means the body, or part of the body <u>or cremated remains</u> of a deceased person.</p>
<p>illuminated sign means an advertising device that is internally illuminated. An Illuminated sign includes:</p> <ul style="list-style-type: none"> (a) a light box; or (b) a neon sign; or (c) 3D internally illuminated lettering; or (d) any other device that is internally illuminated (excluding a Digital sign).
<p>impoundment notice for shopping trolleys means a notice stating:</p> <ul style="list-style-type: none"> (a) that the retailer’s shopping trolley or shopping trolleys to which the notice relates have been impounded; (b) that the retailer is required to claim the shopping trolley or trolleys; (c) the period of not less than 14 days within which the shopping trolley (d) or trolleys must be claimed; (e) that it is an offence not to claim an impounded shopping trolley within the period stated in the notice; (f) that if the shopping trolley or trolleys are not claimed within the period stated in the notice that each shopping trolley is forfeited to the local government which may dispose of the shopping trolley or trolleys; and (g) the prescribed fee for claiming each shopping trolley.
<p>indication, on an official traffic sign, see TORUM Act, schedule 4.</p>
<p>industrial waste means:</p>

- (a) interceptor waste; or
- (b) waste other than the following:
 - (i) commercial waste;
 - (ii) domestic waste;
 - (iii) domestic clean-up waste;
 - (iv) green waste
 - (v) recyclable waste;
 - (vi) recyclable interceptor waste; and
 - (vii) waste discharged to a sewer.

industrial waste container means a container of a type approved by the local government for storing industrial waste at premises in the local government's area.

industry zone means the following zones within the planning scheme:

- (a) Low impact industry zone; and
- (b) Medium impact industry zone; and
- (c) High impact industry zone; and
- (d) Waterfront and marine industry zone.

inflatable or aerial sign means an advertising device that is affixed to or placed on a building, structure or the ground that is inflated and/or floats or flies in the air above the fixed point.

information notice, for a decision, means a written notice stating the following:

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the person to whom the notice is given may apply for a review of the decision within 14 days after the notice is given; and
- (d) how to apply for a review.

infringement notice penalty means an infringement notice fine under the *State Penalties Enforcement Act 1999*.

interceptor means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge into a sewer, septic tank, waste water disposal system or other treatment device.

Examples of interceptors—

- neutralising interceptors for neutralising acidic and alkaline substances

- grease interceptors for collecting and solidifying fat, grease and similar matter
- oil interceptors for collecting oil and petroleum products
- silt interceptors for collecting soil, sand, gravel and other sedimentary solids.

interceptor waste means matter, other than recyclable interceptor waste, intercepted by, and held in, an interceptor.

interment ~~includes~~ means the act of burying ~~of the body human remains~~ of a deceased person within a grave or mausoleum. ~~and placement in a niche of the ashes of a deceased person.~~

intoxicating liquor means wines, spirits, beer, stout, cider, or any other spirituous or fermented fluid whatever of an intoxicating nature. The term also includes methylated spirits. The term also includes any beverage or substance intended for human consumption in which the level of ethyl alcohol (ethanol) is greater than 5mL/L (0.5%) at 20 degrees C.

inurnment means the placement ~~of an urn~~ of cremated human remains, held within an approved receptacle for ashes, into an ashes niche, columbarium, mausoleum or buried with into a gravesite.

keeping of animals means:

A a person keeps an animal if the person;

- has control or custody of the animal;
- feeds and cares for the animal;
- keeps the animal at a particular place on more than one occasion during a month;
- boards and trains an animal; ~~but however~~

Keeping of animals does not include any animal keeping related use that is regulated under the planning scheme of the local government.

Example – an approval for animal keeping, home based business or animal husbandry under the local government's planning scheme.

L_{A90,T} means the A-weighted sound pressure level obtained using time weighting "F" that is exceeded for 90% of the measuring period (T).

Lake Morris is the land described as Lot 50 on NR 6547, located at Lake Morris Road, Lamb Range as outlined in yellow in the Map of Lake Morris, ***attached*** to this Schedule.

land use means a use of premises for a specific purpose. The use of premises includes an ancillary use of the premises.

lawful use / lawfully established land use means a use of premises that has an approval or use right under a Planning Act.

<p><i>lawn cemetery</i> means any cemetery or part thereof set aside exclusively for the erection of a headstone or plaque:</p> <p>(a) on an individual concrete base; or</p> <p>(b) on a continuous concrete beam located at the head of the grave.</p>
<p><i>leaf-blower</i> means an electrical or mechanical device a function of which is to blow leaves.</p>
<p><i>LGA</i> means <i>Local Government Act 2009</i>.</p>
<p><i>life-saving club</i> means a body:</p> <p>(a) affiliated with:</p> <p>(i) Surf Life Saving Queensland Inc (SLSQ); or</p> <p>(ii) the Head Centre of the Royal Life Saving Society; and</p> <p>(b) accredited by the Department of Community Safety.</p>
<p><i>life-saving equipment</i> means equipment for use in sea rescue, life-saving, or the provision of first aid.</p>
<p><i>life-saving patrol means</i> the members of a recognised life-saving club assigned by the club or SLSQ to patrol a bathing reserve, or part of a bathing reserve, at a particular time.</p>
<p><i>litter</i> means any kind of rubbish, refuse or garbage, and any matter that, when in a public place, causes, contributes to or tends to the defacement or defilement of that place.</p>
<p><i>local government cemetery</i> means a cemetery owned by or under the control of the local government and includes:</p> <p>(a) a monumental cemetery;</p> <p>(b) a lawn cemetery;</p> <p>(c) a columbarium;</p> <p>(d) a vault including a vault above or below the ground; and/or</p> <p>(e) a garden of remembrance.</p>
<p><i>local government controlled area</i></p> <p>(1) A local government controlled area means land, facilities and other infrastructure owned, held in trust or otherwise controlled by the local government, other than a road.</p> <p><i>Examples of local government controlled areas:</i></p> <ul style="list-style-type: none"> • <i>parks, reserves and gazetted foreshores</i>

<ul style="list-style-type: none"> • <i>camping grounds or caravan parks on land owned or controlled by the local government</i> • <i>local government swimming pools</i> • <i>cemeteries</i> • <i>Council Chambers and local government offices</i> • <i><u>community halls</u></i> • <i>jetties.</i> <p>(2) A local government controlled area includes part of a local government controlled area.</p> <p>(3) A local government controlled area does not include a residential lot on DOGIT land.</p>
<p><i>luminance output</i> means the brightness emitted directly from a light source or illuminated surface. Luminance output is measured in candelas per square metre.</p>
<p><i>market stall sign</i> means an advertising device associated with a market stall carried out in accordance with a relevant permit.</p> <p>A market stall sign is not an advertising device that is associated with a market approved under a Planning Act.</p>
<p><i>master water meter</i> means <u>the primary water meter for a premises able to be connected directly and separately to the local government's infrastructure by a premises group, to measure the water supply for the premises group.</u></p>
<p><i>mausoleum</i> means an external free standing building constructed as a monument enclosing the interment space or burial chamber of a deceased person or people.</p>
<p><i>memorial</i> means anything erected or placed within a cemetery to mark a grave or commemorate a deceased person and includes <u>but is not limited to:</u></p> <ul style="list-style-type: none"> • <u>a monument;</u> • <u>headstone;</u> • <u>grave plaque;</u> • <u>lawn plaque;</u> • <u>inscription plate;</u> • <u>gravestone;</u> • <u>cenotaph;</u> • <u>tombstone; or</u> • <u>a Council approved structure or physical object.</u> <p>a monument or other structure, headstone, grave plaque, lawn plaque, inscription plate, vase or ornament.</p>
<p><i>menu stand sign</i> means an advertising device that is free-standing and displays a business name and menu.</p>

<p><u>metered standpipe</u> means a device used to extract water from the local government's reticulated water supply, that is fitted with equipment for measuring and recording—</p> <p>(a) <u>the taking of, or interfering with, water; or</u></p> <p>(b) <u>the quality of water.</u></p>
<p>meter installation guidelines means guidelines for meter installation developed by the local government.</p>
<p>minor traffic offence see TORUM Act, section 108(4).</p>
<p>mobile roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where:</p> <p>(a) the operator travels from place to place; or</p> <p>(b) the operator supplies the goods or services to a customer in response to the customer waving down the operator.</p> <p><i>Example: coffee vans; pedicabs</i></p>
<p>modified awning sign means an advertising device that is affixed to an existing awning fascia and extends above or below the existing fascia line to create a new fascia line.</p>
<p>monumental cemetery means any cemetery or part thereof where the grave sites are completely covered by a concrete slab, tiles, or granite <u>or other material approved by the local government.</u></p>
<p><u>motor vehicle</u> has the same meaning as in the TORUM Act and means a vehicle propelled by a motor that forms part of the vehicle, and—</p> <p>(a) <u>includes a trailer attached to the vehicle; but</u></p> <p>(b) <u>does not include a motorised mobility device, a motorised scooter, a personal mobility device or a power-assisted bicycle.</u></p>
<p><u>motorised mobility device</u> has the same meaning as in the TORUM Act and means:</p> <p>(a) <u>a mobility scooter; or</u></p> <p>(b) <u>a motorised wheelchair.</u></p>
<p>multiple dwelling means <u>a residential use of premises containing-involving</u> three or more dwellings, <u>whether attached or detached</u> for separate households.</p>
<p>Munro Martin Park is the land bounded by Florence Street, Sheridan Street, Minnie Street and Grafton Street as outlined in yellow on the Map of Munro Martin Park attached to this Schedule.</p>

<p>neighbourhood character area means an area identified as a Neighbourhood character area within the planning scheme.</p>
<p>new premises means premises other than existing or approved premises.</p>
<p>noisy bird means:</p> <ul style="list-style-type: none"> (a) A cacophonous bird such as a galah, sulphur-crested cockatoo, or peacock, but does not include a rooster; or (b) A bird that is not a cacophonous bird about which a decision has been made for the purpose of section <u>914</u>(2)(j) of <i>Local Law No. 2 (Animal Management) 2016</i> that the bird causes an unreasonable nuisance.
<p>non-standard condition means a condition other than a standard condition.</p>
<p>notice means “includes notice by way of letterbox drop”.</p>
<p>notice of impounding means a written notice, given to the owner or responsible person for an animal, stating that:</p> <ul style="list-style-type: none"> (a) the animal has been impounded; and (a) the animal may be reclaimed within the prescribed period provided that: <ul style="list-style-type: none"> (i) the cost recovery fee is paid; (ii) if a permit or registration is required for the keeping of the animal and the owner or responsible person does not have the permit or registration, the permit or registration is obtained; (iii) if the animal has been seized under section 33(1)(b) or 33(2)(b), the owner or responsible person has complied with the relevant compliance notice; (iv) continued retention of the animal is not needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; and (v) no destruction order has been made for the animal; and <p>in this section:</p> <ul style="list-style-type: none"> (i) relevant compliance notice means the compliance notice mentioned in section <u>3326</u>(1)(b) or <u>3326</u>(2)(b).
<p>obstacle limitation surface means the obstacle limitation surface of the Cairns Airport as identified within the planning scheme.</p>
<p><u>occupied gravesite means a burial site which holds one or more interred or inurned human remains.</u></p>

occupier of premises means:

- (a) a person who reasonably appears to be the occupier of, or in charge of, the premises;
- (b) if there is more than 1 person who apparently occupies the premises— any of the persons;
- (c) a person at the premises who is apparently acting with the authority of a person who apparently occupies the premises; or
- (d) if no person apparently occupies the premises— a person who is an owner of the place.

official traffic sign see TORUM Act, schedule 4.

off-site advertising means advertisements that display anything other than on-site advertising.

off-street regulated parking area see TORUM Act, schedule 4.

on-site advertising means advertisements that displays only:

- (a) The name or logo of a business located on the same site as the advertising device; or
- (b) A non-brand specific product or service available for purchase on the same site as the advertising device; or
- (c) The brand of a product that is manufactured on the same site as the advertising device; or
- (d) The brand of a product that is available for purchase on the same site as the advertising device only where:
 - (i) the site has a lawful use as a vehicle dealership; and
 - (ii) the advertising device is used to display the brand of a vehicle; or
- (e) A business activity conducted on the same site as the advertising device.

Note: An advertisement which displays a clearly identifiable brand, other than a brand allowed under (c) or (d) above, is not considered on-site advertising.

An advertisement displayed on an advertising device that is located on or over a public place or road that is immediately adjacent to the premises and displays only the content listed above, is considered to also be on-site advertising. This includes:

- (a) Awning fascia sign; and
- (b) Blind or canopy sign; and
- (c) Menu stand sign; and
- (d) Modified awning sign; and

<ul style="list-style-type: none"> (e) Outdoor dining furniture sign; and (f) Portable sign; and (g) Projecting flag sign; and (h) Projecting horizontal sign; and (i) Real estate sign; and (j) Sandwich board sign; and (k) Statutory sign; and (l) Under awning sign.
<p>Operational criteria, for the purpose of recording data for an advertising device, means:</p> <ul style="list-style-type: none"> (a) maximum luminance output; and (b) ambient light levels; and (c) hours of operation; and (d) dwell time; and (e) transition time; and (f) any malfunctions or failures.
<p>original owner has the meaning given to it in the BCCMA.</p>
<p>outdoor dining furniture sign means an advertising device that is located on furniture associated with outdoor dining that is carried out in accordance with a relevant permit.</p> <p>An outdoor dining furniture sign does not include:</p> <ul style="list-style-type: none"> (a) a sandwich board sign; or (b) a portable sign; or (c) a menu stand sign.
<p>out of repair means a primary meter failing for any reason to register or to correctly register water consumption.</p>
<p>overnight means lasting for, extending over, or remaining during a night; an overnight trip, an overnight guest.</p>
<p>owner, of an animal, means each person who is:</p> <ul style="list-style-type: none"> (a) its registered owner; (b) the person who owns the animal, in the sense of it being the person's personal property;

<p>(c) <u>athe</u> person who usually keeps the animal, including through an agent, employee or anyone else; <u>or</u></p> <p>(d) if a person mentioned in paragraphs (a) to (c) is a minor, a parent or guardian of the minor.</p>
<p><u>owner of premises has the same meaning as in the LGA.</u></p>
<p>parking permit for people with disabilities see TORUM Act, schedule 4.</p>
<p>patrol flag means a red and yellow flag of the design prescribed by Australian Standard No. 2416.</p>
<p>Pedestrian environment means an area that is accessible to and used by pedestrians. This includes but is not limited to a footpath.</p>
<p>permanent identification device see <u>has the same meaning as in</u> section 12 of the <i>Animal Management (Cats and Dogs) Act 2008</i>.</p>
<p>Permit includes a consent, permission, licence, approval or authorisation but not an approval under a Planning Act.</p>
<p>PID means a microchip or other electronic device:</p> <p style="padding-left: 40px;">(a) capable of being permanently implanted in a dog; and</p> <p style="padding-left: 80px;">designed to record information in a way that can be electronically retrieved.</p>
<p><u>Personal mobility device has the same meaning as in the TORUM Act and means a vehicle that:</u></p> <p><u>(a) is designed to be used by 1 person; and</u></p> <p><u>(b) is prescribed by regulation to be a personal mobility device.</u></p> <p><u>Note: section 15A of the Transport Operations (Road Use Management – Road Rules) Regulation 2009 prescribes personal mobility devices.</u></p>
<p>Pixel pitch means the distance in millimetres from the centre of a pixel to the centre of the adjacent pixel.</p> <p>Note: Pixel pitch is used as a measurement of pixel density.</p>
<p><u>Placement of human remains means the process of inurnment of cremated human remains into the ground or into an aboveground structure.</u></p>
<p>Place of significance means a place of significance as identified within the planning scheme.</p>

<p>Planning Act means the:</p> <ul style="list-style-type: none"> (a) <i>Planning Act 2016</i>; (b) <i>repealed Acts that regulated town planning</i>; and (c) <i>any future Acts that regulate town planning</i>.
<p>Planning area means a zone within the planning scheme.</p>
<p>Planning scheme means the planning scheme for the Cairns Regional Council local government area.</p>
<p>plant means vegetation of any type, including its flowers, roots, seeds and other parts.</p>
<p>portable sign means an advertising device that is portable and typically light weight. A portable sign can be freestanding or on wheels or be affixed to or lent up against a building or structure for support. A portable sign may or may not have a weighted anchoring system.</p> <p>Examples of a portable sign include:</p> <ul style="list-style-type: none"> (a) a tear drop banner; or (b) a feather banner; or (c) a pull up banner; or (d) a changeable letter sign; or (e) any other similar sign that is packed away at the end of a day. <p>A portable sign does not include:</p> <ul style="list-style-type: none"> (a) a sandwich board sign; or (b) an outdoor dining furniture sign; or (c) a vehicle sign; or (d) a projecting flag sign.
<p>poster sign means an advertising device that consists of a poster printed on paper or cardboard and is affixed to a surface typically by using an adhesive.</p> <p>A poster sign is not a wall sign or a window sign.</p>
<p>potable water means water that complies with the NHMRC – Australian Drinking Water Guidelines 2011.</p>
<p>poultry includes any species of chickens (including bantam chickens), geese, ducks, guinea fowls, turkeys, pheasants or quails (excluding roosters).</p>

PPID means a prescribed ~~PID~~ permanent identification device which is a microchip or other electronic device that:

- (a) is capable of being permanently implanted in a dog or a cat; and
- (b) is designed to record information in a way that can be electronically retrieved; and
- ~~(a)(c)~~ that complies with the requirements prescribed under a regulation under by the *Animal Management (Cats and Dogs) Act 2008* Regulation 2019.

premises means any land, building or structure, and includes any part thereof.

premises group has the meaning given to it in ~~*Standard Water Supply Law 1998*~~ *Water Supply (Safety and Reliability) Act 2008* and means the land comprised in 2 or more premises all the owners of which have mutual rights and obligations under the *Body Corporate and Community Management Act 1997* or the *Building Units and Group Titles Act 1980* for their respective ownerships, and includes the common property forming part of—

- (a) if the premises are lots included in a community titles scheme under the *Body Corporate and Community Management Act 1997*—the scheme land under that Act for the scheme; or
- ~~(a)(b)~~ if the premises are lots under the *Building Units and Group Titles Act 1980*—the parcel of which the premises form part.

prescribed activity means an activity described by a local law as a prescribed activity.

prescribed ERA has the meaning given in the *Environmental Protection Act 1994*.

prescribed fee means a cost-recovery fee fixed by the local government, by local law or by resolution, under the Act.

private gathering means an event or occasion where:

- (a) the event is not publicly advertised;
- (b) the event is not open to the public; and
- (c) attendance at the event is restricted to personal invitation by the event's host.

Example:

A wedding, boardroom lunch, birthday party, wake etc.

pricing signage associated with a Service station means a component of an advertising device that is associated with a lawfully established Service station on the same site where that component is used to display the price of petroleum

<p>products only. It does not include the display of other products or product prices sold at the site. The component is displayed using a Digital sign or Illuminated sign.</p>
<p>primary meter means the meter or meters used by the local government to determine water consumption or water usage charges for premises or a premises group.</p>
<p>projected image sign means an advertising device that is projected onto a surface.</p>
<p>projecting flag sign means an advertising device that is a wall mounted at a single point of fixture and suspends a flag constructed of flexible material, or the like.</p>
<p>projecting horizontal sign means an advertising device that projects horizontally out of a surface of a building or structure.</p> <p>A Projecting horizontal sign is not attached to a free-standing pole.</p>
<p>projecting vertical sign means an advertising device that projects vertically out of a surface of a building or structure.</p> <p>A sign that projects vertically out of a roof whether it exceeds the height of the roof or not is a projecting vertical sign.</p>
<p>property see <i>Acts Interpretation Act 1954</i>, section 36.</p>
<p><u>public bin means a waste container which is placed by the local government in a public place for the collection and storage of general waste which is produced as a result of the ordinary use of the public place by the general public.</u></p>
<p>public information advertising means an advertising device used to display information that is about:</p> <ul style="list-style-type: none"> (a) a local government product or service; or (b) a local government supported event; or (c) a community event; or (d) a public place; or (e) public amenities or facilities; or (f) any other local government approved message.
<p>public notice means a notice published in a newspaper circulating in the local government's area.</p>
<p>public place see the <i>LGA</i>, section 125(5).</p>

Public place activity means the non-commercial use of a local government controlled area and/or road, and includes the following:

(a) fundraising;

Example

Street stall, bake sale, sausage sizzle, car wash etc;

(b) a display, demonstration, educational or information activity;

(c) research or scientific investigation activity;

(d) a private gathering with more than 100 attendees or if amplified music, temporary structures or furniture will be used;

(e) extraordinary traffic;

(f) a temporary structure which is greater than 10m² or 3m in height, or which otherwise requires a building permit;

(g) amusement device including a jumping castle, inflatable slide or waterpark, mechanical bulls;

(h) a type of activity conducted for the purpose of organised sport, education, recreation, or tourism, that is undertaken by participants only and where there is no commercial purpose involved;

(i) training events or tours where there is no commercial purpose involved; and

(j) lighting or maintaining a fire for the purpose of conducting a cultural ceremony or practice,

but does not include the use of a local government controlled area and/or road that is a:

(a) Commercial Use Activity; or

(b) Temporary Entertainment Event.

public transport waiting point has the meaning in the *Tobacco and Other Smoking Products Act 1998*.

pump means an electrical, mechanical or pneumatic pump and includes a swimming pool pump and a spa blower.

Examples—liquid pump, air pump, heat pump

pylon sign means an advertising device that stands vertically and is attached directly to the ground or is supported by one or more vertical supports. A pylon sign is taller than it is wide. A pylon sign may consist of multiple panels or slats that can be replaced.

racing pigeon means a class of pigeon which is:

<p>(a) primarily kept for the purpose of racing or breeding for racing;</p> <p>(b) kept by a person who is a registered member of the Queensland Racing Pigeon Federation Incorporated or affiliate Club; and</p> <p>(c) kept in accordance with the terms of membership of the Queensland Racing Pigeon Federation incorporated or affiliate club.</p>
<p>real estate directional sign means a temporary, moveable and free-standing advertising device that is used to direct the public to the location of a real estate event.</p>
<p>real estate event means an auction or a scheduled open house inspection which is open to all members of the public.</p>
<p>real estate sign means a temporary, free-standing advertising device that advertises an intention to sell, lease, tender or auction land and/or a building.</p>
<p>reasonable written notice means a written notice given at least 7 days before a property is to be entered, that informs the owner and the occupier of the property of:</p> <p>(a) the local government's intention to enter the property;</p> <p>(b) the reason for entering the property; and</p> <p>(c) the days and times when the property is to be entered.</p>
<p><u>receptacle means a vase or container which is not ceramic, made of glass or brittle plastic and is not able to hold water.</u></p>
<p>recognised life-saving club means a life-saving club to which the local government has assigned the responsibility for patrolling a bathing reserve or a particular part of a bathing reserve.</p>
<p><u>recyclable interceptor waste means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.</u></p>
<p>recyclable waste means, for a local government's area, clean and inoffensive waste that is declared by the local government to be recyclable waste for the area.</p> <p><i>Examples of waste that may be declared to be recyclable waste: glass bottles, newspaper, cardboard, steel and aluminium cans, and green waste.</i></p>
<p>registered owner, of an animal, means a person recorded as being the owner of the animal in a register kept by a local government.</p>
<p><u>registered suitable operator has the meaning given in the <i>Environmental Protection Act 1994</i>.</u></p>

<p>registration device means a permanent identification device implanted in a cat to assist in identifying the cat.</p>
<p>registration fee for a cat means the one off fee fixed by the local government for registration of a cat.</p>
<p>regulated device means any of the following:</p> <ul style="list-style-type: none"> (a) a compressor; (b) a ducted vacuuming system; (c) a generator; (d) a grass-cutter; (e) an impacting tool; (f) a leaf-blower; (g) a mulcher; (h) an oxyacetylene burner; (i) an electrical, mechanical or pneumatic power tool; or <i>Examples of a power tool:</i> <i>chainsaw, drill, electric grinder or sander, electric welder, nail gun</i> (j) any other device declared by resolution of the local government to be a regulated device for the purposes of this provision.
<p>regulated dog means a declared dangerous dog, a declared menacing dog or a restricted dog as those terms are defined under the Animal Management (Cats and Dogs) Act 2008.</p>
<p>regulated waste has the meaning given in the Environmental Protection Regulation 2019.</p>
<p>repealed local laws means the local laws that were in force and effect immediately prior to the coming into force and effect of this local law.</p>
<p>residence means human habitation on a short-term or long-term basis.</p>
<p>residential zone means the following zones within the planning scheme:</p> <ul style="list-style-type: none"> (a) Low density residential zone; and (b) Low-medium density residential zone; (c) Medium density residential zone; and (d) Tourist accommodation zone.
<p>responsible person, for a place, means the person who has control or</p>

management of the place and includes the occupier of a place or another person in charge of activities or structures in the place that may result in contravention of this local law for which they are responsible.

responsible person, for an animal, means:

(a) the person, or the person's employee acting within the scope of the employment, who has immediate control or custody of the animal;

(b) the parent or guardian of a minor who has immediate control or custody of the animal;

~~(b)(c) if applicable, the registered owner of the animal; or~~

~~(e)(d) the person who occupies the place at which the animal is usually kept,~~
but does not include:

(a) a person who occupies the place at which the animal is usually kept, if someone else, who is an adult and lives at the place, keeps the animal; or

(b) a person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.

~~(a) —~~

~~a person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.~~

restricted dog see *Animal Management (Cats and Dogs) Act 2008*, section 63.

retail premises means the entire area owned, leased or utilised by a retailer including the area which is provided for the use of customers, including any car parking area, pedestrian walkways, common areas within a shopping centre or such other area approved by the local government resolution.

retailer means any person who in connection with a retail or wholesale business owns, leases or otherwise makes shopping trolleys available for use by customers and includes any on-site or designated agent which provides the shopping trolleys for use by customers.

revolving or flashing light means a light which flashes or is capable of being revolved automatically, and includes a strobe light, but excludes those lights affixed to an emergency vehicle or road crew.

road means:

(a) a road as defined in the LGA, section 59; and

(b) a State-controlled road:

(i) ~~prescribed under a local law or subordinate local law for this~~

~~subparagraph as a road to which this local law applies unless otherwise provided where the Queensland State government has invested power in the local government to control a State-controlled road; and~~

- (ii) in respect of which the chief executive has given written agreement under the TORUM Act, section 66(5)(b).

roof sign means an advertising device that is painted on a roof.

sandwich board sign means an advertising device that is moveable, free-standing and is placed on the ground, constructed footpath or road.

A sandwich board sign is typically supported by an “A” or inverted “T” frame.

sanitary ~~convenience~~ facilities means a urinal, water closet, earth closet, cesspit, cesspool or other receptacle for human waste.

scattering of ashes means to disperse cremated human remains.

security sign means an advertising device that advises the public of a security system or security feature on the premises.

sensitive land use has the same meaning as in ~~means the following uses as defined within~~ the planning scheme.:

~~caretakers accommodation;~~

~~(a) — community care centre;~~

~~(b) — community residence;~~

~~(c) — dual occupancy;~~

~~(d) — dwelling house;~~

~~(e) — dwelling unit;~~

~~(f) — hotel;~~

~~(g) — multiple dwelling;~~

~~(h) — non-resident workforce accommodation;~~

~~(i) — relocatable home park;~~

~~(j) — residential care facility;~~

~~(k) — retirement facility;~~

~~(l) — rooming accommodation;~~

~~(m) — rural workers accommodation;~~

~~(n)(a) — tourist park.~~

sequential messages means an advertisement that uses more than one dwell

time to convey a message.
<p><u>serviced premises</u> means premises:</p> <p>(a) <u>which are in an area designated by the local government as an area in which the local government may conduct general waste collection under—</u></p> <p style="padding-left: 40px;">(i) <u>section 7 of the <i>Waste Reduction and Recycling Regulation 2011</i>; or</u></p> <p style="padding-left: 40px;">(ii) <u>section 4 of <i>Local Law No. 15 (Waste Management) 2023</i>; and</u></p> <p>(b) <u>for which the local government has required the owner or occupier of the premises to arrange for removal of general waste from the premises.</u></p>
<p><i>shared facilitiesy accommodation</i> means <u>the commercial operation of accommodation occupied or available for occupation by <u>guests-residents</u>, in return for payment, on the basis of <u>those residents-guests</u> sharing 1 or more of the following facilities:</u></p> <p>(a) dormitories or bedrooms;</p> <p>(b) toilets;</p> <p>(c) bathrooms, showers or other bathing facilities;</p> <p>(d) laundries;</p> <p>(e) dining facilities;</p> <p>(f) cooking facilities; or</p> <p>(g) recreation facilities.</p>
<p><i>shared facility accommodation operation</i> means the provision of shared facility accommodation to holiday makers or travellers, but does not include accommodation in a hotel or motel, which is referred to in Part 1, section 1.8 of the planning scheme.</p>
<p><i>shopping trolley</i> means a cart or wheeled basket used primarily for the carriage of goods by customers while on or in the retail premises.</p>
<p><i>shopping trolley containment system</i> means a wheel lock system or such other alternative containment system as the local government may by subordinate local law prescribe to prevent shopping trolleys being removed from a retailer's premises, and to facilitate the return of the shopping trolleys to a designated location within the retail premises.</p>
<p><i>site</i>, for the purpose of <i>Local Law No. 4 (Advertising Devices) 2019</i>, means:</p> <p>(a) the lot where the advertising device is located; or</p> <p>(b) where there are multiple lots associated with a land use or activity, the land made up by all of the lots associated with the land use or activity where the advertising device is located.</p>

A part of a lot is not a site.
SLSQ means Surf Life Saving Queensland Inc.
smoke has the meaning in the <i>Tobacco and Other Smoking Products Act 1998</i>.
smoke free area means the area within a 5 metre radius from any public transport waiting point (including the waiting point itself) situated in the area bounded by Florence Street from the Esplanade to McLeod Street, McLeod Street from Florence Street to Spence Street, Spence Street from McLeod Street to Sheridan Street, Sheridan Street from Spence Street to Hartley Street, Hartley Street from Sheridan Street to Lake Street, Lake Street from Hartley Street to Wharf Street, Wharf Street from Lake Street to the Esplanade, the area from the Esplanade along the walkway to Spence Street, Pier Point Road, Pier Point Road to the sea wall, along the sea wall to a point opposite the northern boundary of Aplin Street, and the Esplanade between Aplin Street and Florence Street, as outlined in red in the Map of Smoke Free Area Boundary for Public Transport Waiting Points attached to this Schedule.
special birds means <u>includes</u> <u>an</u> emus and ostriches.
sport and recreational purposes means any land that is in a zone/planning area under the planning scheme of the local government that is designated for a range of organised activities that includes sport, cultural and educational activities, that may also occur inside or outside of infrastructure such as clubhouses or gymnasiums.
stallion means an uncastrated male horse.
standard condition means a condition that is identified in a local law that must be imposed or that will ordinarily be imposed on a permit.
<p>standard general waste container means:</p> <p><u>(a) a container of a type approved by a local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government's area; and</u></p> <p><u>(b) for the avoidance of doubt, includes 1 or more containers each of which is approved by the local government for storing, at premises in the local government's area—</u></p> <p><u>(i) 1 or more or multiple types of commercial waste;</u></p> <p><u>(ii) 1 or more or multiple types of recyclable waste;</u></p> <p><u>(iii) 1 or more or multiple types of domestic waste; or</u></p> <p><u>(iv) a combination of—</u></p> <p><u>(A) 1 or more or multiple types of domestic waste; and</u></p>

- (B) 1 or more or multiple types of recyclable waste; or
(v) a combination of—
(A) 1 or more or multiple types of commercial waste; and
(A)(B) 1 or more or multiple types of recyclable waste.

~~*standpipe* has the meaning given to it in the *Standard Water Supply Laws 1998*.~~

stationary roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where:

- (a) the operator carries on the activity from:
- (i) a specified place; or
 - (ii) a number of specified places; but
- (b) the activity is not:
- (i) footpath dining; or
 - (ii) a roadside stall as defined under the planning scheme*.

**a roadside stall on private land*

statutory sign means an advertising device required to be displayed under an Act of Parliament of the State or Commonwealth or required under a condition of a permit or approval issued under an Act.

stormwater system means a roadside gutter, a stormwater drain, surface water or any other land or structure that is used to convey stormwater.

streetscape means the collective combination of urban form elements that constitute the view of a street and its public and private realm. These elements include buildings, roads, footpaths, vegetation, open spaces and street furniture.

subsidiary meter means a primary meter measuring supply to:

- (a) individual premises within a premises group; or
- (b) individual tenancies on premises and the balance area of the premises.

~~**Sugarworld Parklands** is the land bounded by and accessed from Hambledon Drive to the south and Walker Road to the north and adjoining Sugarworld Water Park as outlined in yellow on the “Map of Sugarworld Parklands” attached to this Schedule.~~

supply fee means a charge fixed by the local government by resolution for the supply of a meter.

swimming pools means a swimming pool that is made available for use to:

<p>(a) members of the public or a section of the public;</p> <p>(b) participants in organised swimming or diving competitions or in training for organised swimming or diving competitions; or</p> <p><u>(c) persons who have a commercial relationship with the owner of the pool; and</u></p> <p>(e)<u>(d) includes other aquatic facilities such as spas, water theme parks/water slides, wave simulators, float tanks, hydrotherapy baths and interactive water features.</u></p>
<p>tampering with a water meter includes removing or altering the position of the meter without the approval of the local government.</p>
<p>taxi zone has the same meaning as taxi zone in the <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009</i>.</p>
<p>temporary event sign means an advertising device that is temporary and advertises an event or provides information about an event.</p> <p>Examples of a temporary event sign include:</p> <p>(a) a sign made from corflute; or</p> <p>(b) a temporary banner attached to a fence; or</p> <p>(c) a sign advising of upcoming fireworks.</p>
<p>temporary entertainment event means an event that is:</p> <p><u>(a) held temporarily; –not on a regular basis and not more than 2 times in any one year–</u></p> <p><u>(b) to provide social, community, sport or entertainment, <u>recreation or amusement events</u>;</u></p> <p><u>(c) that is open to the public, whether or not upon payment of a fee for admission; and</u></p> <p>(a)(d) , whether on private land or a local government controlled area or road and whether or not the management reserves the right to exclude individual members of the public which event is referred to in Part 1, section 1.8 of the planning scheme.</p> <p>A temporary entertainment event will be classified as major if it caters for 1,000 or more people.</p> <p>A temporary entertainment event will be classified as minor if it caters for less than 1,000 people.</p>
<p>temporary entertainment events operation means the <u>opening operation of a to the public, or the preparation for opening to the public, of an</u> temporary entertainment event, and for which the opening to the public which is referred to in Part 1, section 1.8 of the planning scheme.</p>

<p>temporary home means a caravan, vehicle, tent, structure, or annex attached to a caravan, vehicle, tent, or structure that is erected for the occupation of the owner, and immediate family, of the land upon which there is a current approval to construct a dwelling house and only during the construction of the dwelling house.</p>
<p>temporary, for the purpose of <i>Local Law No. 4 (Advertising Devices)</i>, means an advertising device that is displayed for a limited period of time.</p> <p>Note: The period of time that an advertising device is displayed is identified within Part 4 or as a condition of a permit.</p>
<p>tenancy means a part of the premises capable of being separately occupied.</p>
<p>themed sign means an advertising device that is constructed in a three-dimensional shape to resemble an object or character.</p>
<p>TORUM Act means the <i>Transport Operations (Road Use Management) Act 1995</i>.</p>
<p>touting means to spruik, publicise to or approach another person and publicise or promote either verbally or in writing about a with a publication of a business, commercial or trade activity, including by approaching that person. “Touted” and “touting” have the corresponding meanings.</p>
<p>town water means a water supply provided by the local government to a premises or premises group.</p>
<p><u>TPI means totally and permanently incapacitated as embossed on a Commonwealth Department of Veteran Affairs’ Gold Card.</u></p>
<p>traffic area see TORUM Act, schedule 4.</p>
<p>transition time means the amount of time of transition between one advertisement to another advertisement.</p>
<p>transport infrastructure sign means an advertising device that is painted on or affixed to transport infrastructure.</p>
<p>travellers includes someone living away from their primary residence and a temporary worker who resides in shared facility accommodation for a period of time determined by:</p> <ul style="list-style-type: none"> (a) the work that the worker is employed to perform, for example, the period during which a crop is harvested; or (b) the duration of a project on which the worker is employed to work, for example, the construction of specified infrastructure.
<p>under awning sign means an advertising device that is attached to the underside</p>

of an awning, verandah, or canopy.
undefined sign means an advertising device that is not otherwise defined within this Schedule.
undertaking regulated activities regarding human remains means undertaking one of the following activities: (a) disturbance of human remains buried outside a cemetery; (b) burial or disposal of human remains (excluding cremated remains) outside a cemetery; or (c)(a) disturbance of human remains in a local government cemetery.
vault means the lining of a grave or graves by means of bricks and mortar or concrete liners cemented together so that the floor, walls and ceiling of the grave are completely covered and sealed and is and includes walk in room or rooms constructed either above or below ground level and a chapel.
vegetation includes a tree, bush, shrub, plant or grass, but does not include vegetation that is protected under a law of the State or Commonwealth or under the local government's planning scheme.
vehicle includes any type of transport that moves on wheels and a hovercraft but does not include a train or tram.
vehicle identification label means a label given to a parking permit holder that allows the holder of the permit to park their approved vehicle contrary to an indication on an official traffic sign within the local government area in accordance with the conditions of the parking permit to be prominently shown on the left hand side windscreen of the vehicle facing outward when the vehicle is parked in accordance with the permit. The label can be for different types of permits such as a commercial vehicle permit to allow parking in loading zones or a temporary event permit to allow parking in a particular area.
vehicle sign means an advertising device that is painted on or affixed to a vehicle or trailer. A vehicle sign includes where it is painted on or affixed to a trailer that is detached from a vehicle, or is stationary or is not in use. A Variable message sign (VMS) is not an advertising device where providing information about roadworks or a local government supported event.
vessel means any ship, boat, punt, ferry, air cushion vehicle and every other kind of vessel used or apparently designed for use in navigation whatever may be the means of its propulsion.
wall sign means an advertising device that is affixed flat to, posted or painted on

<p>to the surface of a building or structure.</p> <p>A wall sign does not include:</p> <ul style="list-style-type: none"> (a) an Awning fascia sign; or (b) a Banner sign; or (c) a Blind or canopy sign; or (d) a Construction sign; or (e) a Poster sign; or (f) a Roof sign; or (g) a Window sign.
<p>wandering at large means:</p> <ul style="list-style-type: none"> (a) the animal is not under the effective control of someone; and (b) the animal is in either: <ul style="list-style-type: none"> (i) a public place; or (ii) a private place without the consent of the occupier.
<p>waste has the meaning given to it under section 8AA of the Waste Reduction and Recycling Act 2011 and means anything that is:</p> <ul style="list-style-type: none"> (a) left over, or an unwanted by-product from an industrial, commercial, domestic or other activity; (b) surplus to the industrial, commercial, domestic or other activity generating waste; (c) gas, liquid, solid or energy or a combination of any of them; or (d) may or may not be a thing of value.
<p>waste facility means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste.</p>
<p>water consumption charges means charges levied by the local government for the supply of water at a premises based on either an estimated water consumption or water meter reading undertaken by the local government.</p>
<p>water meter has the meaning given to it in section 37(2) of the <i>Water Supply (Safety and Reliability Act) 2008</i>.</p>
<p>water usage charges means charges for the supply of water according to water consumption calculated at a rate determined by the local government from time to time.</p>
<p>wearable or handheld sign means an advertising device worn by or held onto</p>

<p>by a person.</p> <p>Examples of a wearable or hand held sign include:</p> <p>(a) a human billboard, walking billboard, backpack billboard; or</p> <p>(b) a handheld shaker sign; or</p> <p>(c) a handheld spinner sign.</p>
<p>wheel lock system means a disabling device which makes a trolley inoperable, including by locking the wheels of a shopping trolley, if it is removed from or within a certain distance of a retail premises.</p>
<p><u>wheeled recreational device has the same meaning as in the TORUM Act and means a wheeled device, built to transport a person, propelled by human power or gravity, and ordinarily used for recreation and play, and:</u></p> <p>(a) <u>includes rollerblades, rollerskates, a skateboard, scooter, unicycle or similar wheeled device; but</u></p> <p>(b) <u>does not include a golf buggy, pram, stroller or trolley, a motor-assisted device (other than a motorised scooter) whether or not the motor is operating, or a bicycle, wheelchair or wheeled toy.</u></p>
<p><u>wheeled toy has the same meaning as in the TORUM Act and means a child's pedal car, scooter (other than a motorised scooter) or tricycle or a similar toy, but only when it is being used by a child who is under 12 years old.</u></p>
<p>window sign means an advertising device that is displayed on a window or is displayed inside a building within 2 metres of a window and is visible through the window.</p>
<p>working dog means:</p> <p>(a) a dog usually kept or proposed to be kept:</p> <p>(i) on rural land;</p> <p>(ii) by an owner who is a primary producer, or a person engaged or employed by a primary producer;</p> <p>(iii) primarily for the purpose of droving, protecting tending, or working, stock; or</p> <p>(iv) being trained in droving, protecting, tending, or working, stock; and<u>but</u></p> <p>does not include a class of dog prescribed under a regulation.</p>
<p>zone means a zone as identified within the planning scheme.</p> <p>The zone for a road, closed road, waterway, foreshore or reclaimed land is the same zone as the adjoining land as detailed in the planning scheme.</p>

zone primarily for a sensitive land use means the following zones within the planning scheme:

- (a) Community facilities zone;
- (b) Emerging community zone;
- (c) Low density residential zone;
- (d) Low-medium density residential zone;
- (e) Medium density residential zone;
- (f) Rural residential zone;
- (g) Tourist accommodation zone;
- (h) Township zone.

Maps

Babinda Rotary Park





Barlow Park



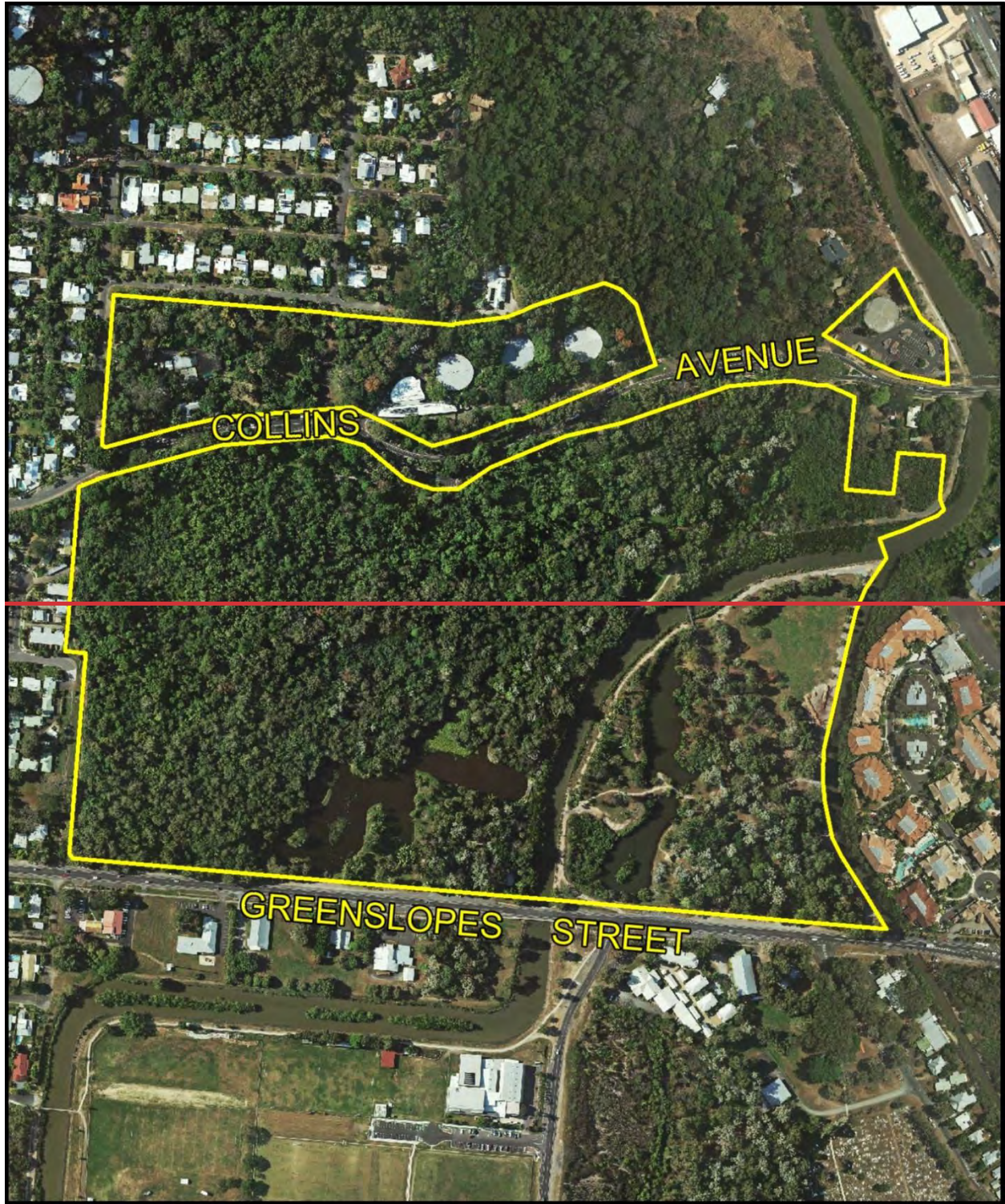


Boulders Camping Ground





Cairns Botanic Gardens





Cairns Esplanade Lagoon





Cairns Esplanade Reserve





CBD



Central Animal Prohibition Area

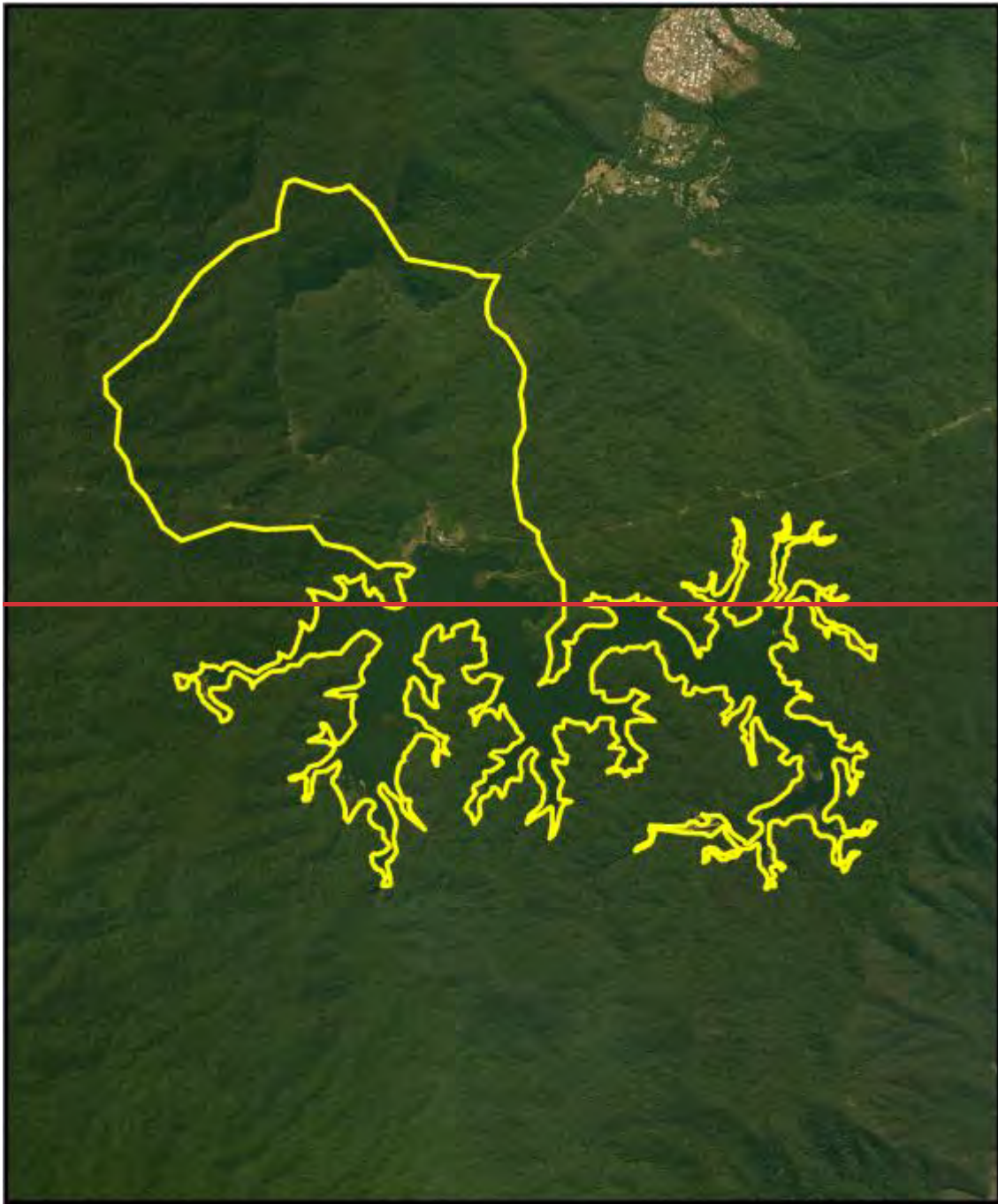


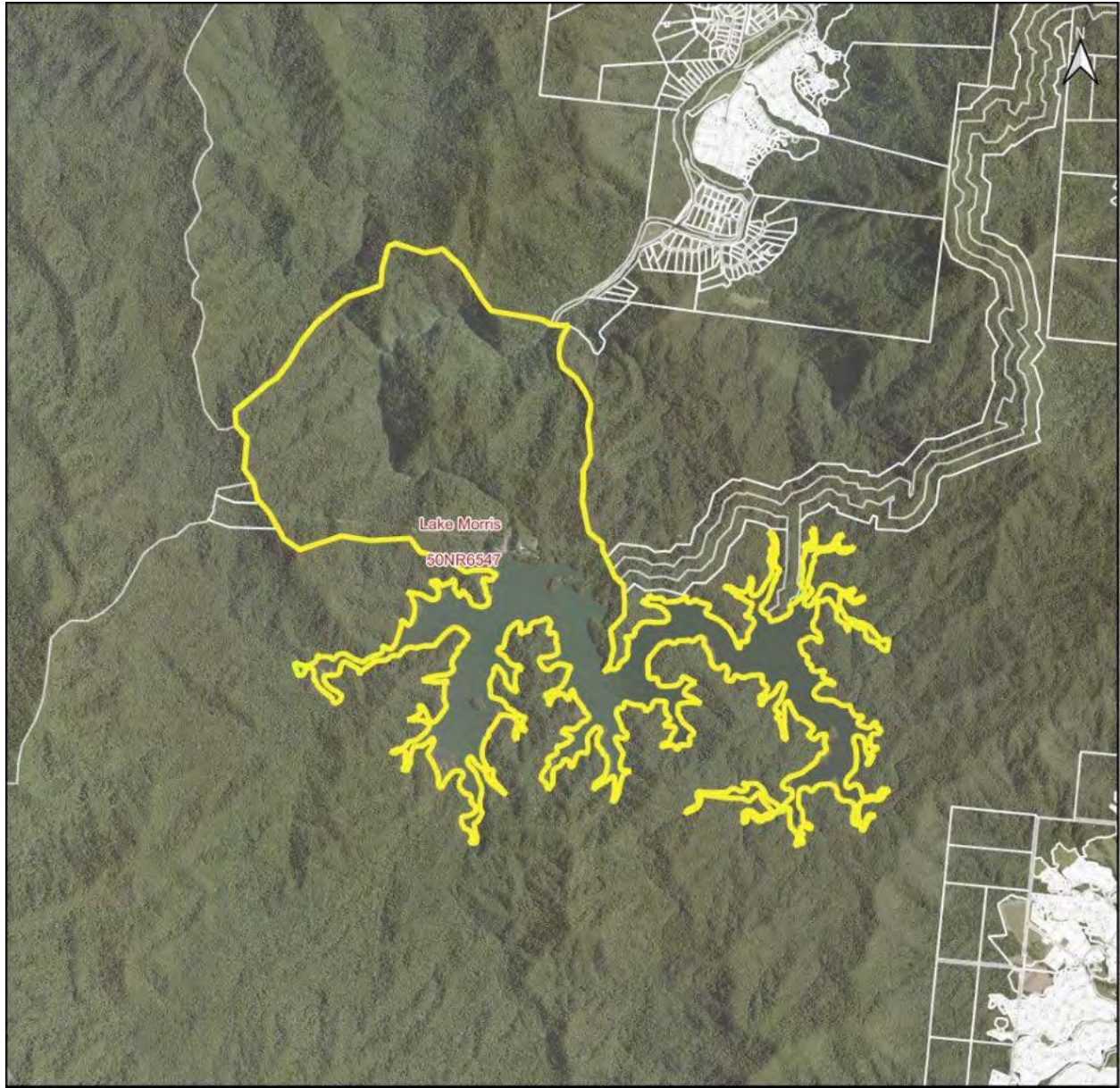


Greenpatch Campground



Lake Morris



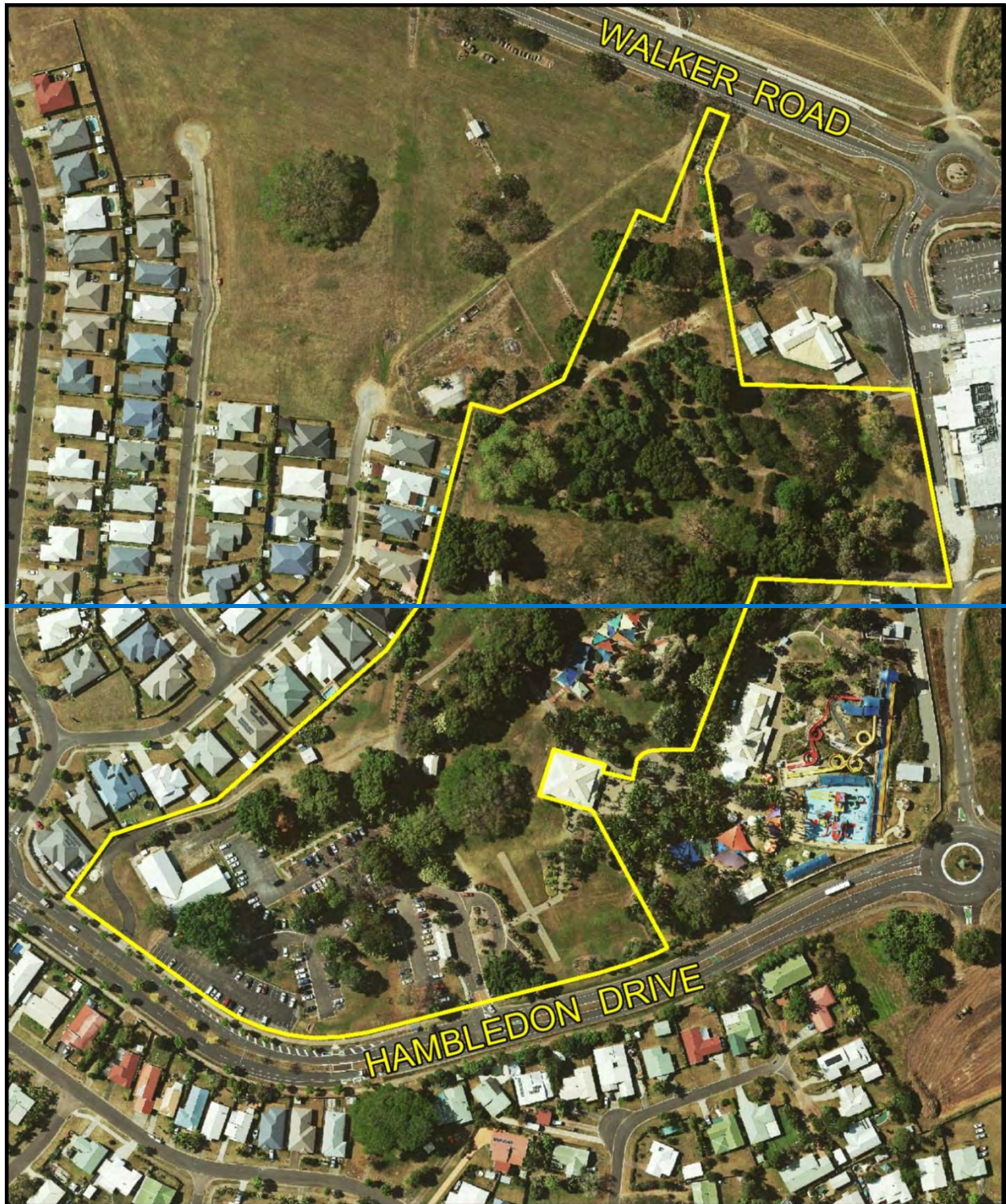


Munro Martin Park





Sugarworld Parklands



Smoke-Free Area Boundary for Public Transport Waiting Points



CERTIFICATION

~~This and the preceding 78 pages bearing my initials is a certified copy of Cairns Regional Council *Local Law No. 1 (Administration) 2016* made in accordance with the provisions of the *Local Government Act 2009*, by Cairns Regional Council by resolution dated 28 August 2019.~~

John Andrejic

Chief Executive Officer

Cairns Regional Council



**Cairns Regional Council
Local Law No. 2 (Animal Management) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council Local Law No. 2 (Animal Management) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved	1
3 Relationship with other laws.....	1
Part 2 Keeping of animals	<u>2222</u>
Division 1 Prohibition on keeping animals	<u>2222</u>
4 Prohibition on keeping animals in prescribed circumstances	<u>2222</u>
Division 2 Animals for which permit is required	<u>2222</u>
5 Prescribed activity.....	<u>2222</u>
6 Keeping of animals requires a permit.....	<u>2222</u>
7 Additional criteria for the granting of permit	<u>3332</u>
8 Conditions that must be imposed on permits	<u>4443</u>
9 Conditions that will ordinarily be imposed on permits	<u>5554</u>
Division 3 Animals for which desexing is required	<u>5554</u>
10 Requirement to desex an animal.....	<u>5554</u>
Division 4 Minimum standards	<u>5555</u>
11 Minimum standards for keeping animals	<u>5555</u>
12 Particular animals.....	<u>8887</u>
13 Permit conditions.....	<u>8887</u>
14 Determination of relevant standards where inconsistency	<u>8887</u>
15 Offence.....	<u>8887</u>
Division 5 Prohibition on breeding animals	<u>8887</u>
16 Prohibition on breeding animals	<u>8887</u>
Division 6 Cat registration.....	<u>9987</u>
17 Registration of cats.....	<u>9987</u>
18 What owner must do	<u>9998</u>
19 Registration device.....	<u>9998</u>
20 Amendment of registration	<u>9998</u>
21 Cat register.....	<u>9998</u>

Division 7 Dogs kept at address other than registered address.....	<u>1010108</u>
22 Identification for dogs in certain circumstances	<u>1010108</u>
Division 8 Kennels, catteries, pet shops and shelters.....	<u>1010109</u>
23 Prescribed activity	<u>1010109</u>
24 Operating a kennel, cattery, pet shop or shelter requires a permit....	<u>1010109</u>
25 Additional criteria for the granting of permit.....	<u>1010109</u>
26 Conditions that must be imposed on permits.....	<u>1111119</u>
27 Conditions that will ordinarily be imposed on permits.....	<u>15151513</u>
Part 3 Control of animals.....	<u>15151514</u>
Division 1 Animals in public places	<u>15151514</u>
28 Application of this part.....	<u>15151514</u>
29 Exclusion of animals.....	<u>15151514</u>
30 Dog off-leash areas	<u>16161615</u>
31 Control of animals in public places.....	<u>17171615</u>
32 Person in control of dog or prescribed animal to clean up faeces ...	<u>18181716</u>
Division 2 Restraint of animals	<u>18181716</u>
33 Duty to provide proper enclosure and prevent animal from wandering	<u>18181716</u>
Division 3 Aggressive behaviour by animals other than dogs.....	<u>19191817</u>
34 Limited application of division to dogs	<u>19191817</u>
35 Animals not to attack or cause fear to persons or animals	<u>19191817</u>
36 Defences for offence against section 35	<u>20201918</u>
Division 4 Dangerous animals other than dogs	<u>20201918</u>
37 Declaration of dangerous animal other than a dog.....	<u>20201918</u>
38 Power to require responsible person for declared dangerous animal to take specified action.....	<u>21212018</u>
Part 4 Seizure, impounding or destruction of animals	<u>21212019</u>
Division 1 Seizure of animals.....	<u>21212019</u>
39 Seizure of animals.....	<u>21212019</u>
Division 2 Destruction of animal without notice.....	<u>22222120</u>
40 Power to immediately destroy seized animal.....	<u>22222120</u>
Division 3 Return or impounding of animals	<u>22222120</u>
41 Immediate return of animal seized wandering at large	<u>22222120</u>

42	Impounding of seized animal.....	22222120
43	What is a notice of impounding	23232220
44	Dealing with animal seized and impounded for wandering at large. 23232221	
45	Dealing with animal seized and impounded for non-compliance with local law 24242321	
46	Dealing with animal seized and impounded for displaying aggressive behaviour.....	25252322
47	Reclaiming an impounded animal	25252322
48	Surrendering an impounded animal	26262523
Division 4 Destruction of animal following notice		26262523
49	Destruction orders	26262523
Division 5 Disposal of impounded animals		28282625
50	Application of this division	28282625
51	Sale, disposal or destruction of animals	28282625
Division 6 Miscellaneous		29292726
52	Register of impounded animals	29292726
53	Access to impounded animal.....	30292826
54	Unlawful removal of seized or impounded animal	30302827
Part 5 Appeals against destruction orders.....		30302827
55	Who may appeal	30302827
56	Starting appeal	30302827
57	Hearing procedures	31302927
58	Court's powers on appeal.....	31312928
59	Appeal to District Court.....	31312928
60	Stay of destruction order	31312928
Part 6 Miscellaneous.....		32313028
61	Application of this local law.....	32313028
62	Sale of animals.....	32323028
63	Recognised associations.....	32323029
64	Subordinate local laws	32323029

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 2 (Animal Management) 2016*.

2 Purpose and how it is to be achieved

{1} The purpose of this local law is to regulate and manage the keeping and control of animals in the local government's area in a way that:

- (a) ensures a proper place for the inclusion of pets in the community;
- (b) balances community expectations with the rights of individuals;
- (c) protects the community against risks to health and safety;
- (d) prevents pollution and other environmental damage; and
- (e) protects the amenity of the local community and environment.

{2} The purpose is to be achieved by providing for:

- (a) the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept;
- (b) the prescription of standards for keeping animals;
- (c) the proper control of animals in public places;
- (d) the management of dangerous or aggressive animals other than dogs;
- (e) the seizure and destruction of animals in certain circumstances;
- (f) the recognition of associations relating to particular animals;
- (g) the establishment and administration of animal pounds; and
- (h) the registration of cats.

3 Relationship with other laws

This local law is:

- (a) in addition to any, and does not derogate from:
 - (i) laws regulating the use or development of land; and
 - (ii) other laws about the keeping or control or welfare of animals;
- (b) to be read with *Local Law No. 1 (Administration) 2016* which contains provisions and definitions that apply to all local laws; and
- (c) made under Chapter 3 of the LGA.

Part 2 Keeping of animals

Division 1 Prohibition on keeping animals

4 Prohibition on keeping animals in prescribed circumstances

~~{1}~~ The keeping of animals prescribed in Column 1 of Schedule 1 to *Subordinate Local Law No. 2 (Animal Management) 2016* is prohibited in the circumstances defined in Column 2 of Schedule 1.

~~{2}~~ A person must not keep an animal in contravention of a prohibition under this section.

Maximum penalty ~~for subsection (2)~~—50 penalty units.

Division 2 Animals for which permit is required

5 Prescribed activity requiring a permit

~~{1}~~ Keeping of animals—The keeping of an animal identified in Column 1 of Schedule 2 to *Subordinate Local Law No. 2 (Animal Management) 2016*, in the circumstances expressed in Column 2 of Schedule 2, is a category 1 prescribed activity which requires the owner of the animal to hold a valid permit to keep the animal.

~~{2}~~ Despite subsection (1), a permit is not required in the following circumstances:

(a) for the period of up to 14 days from the day after the animal begins to be kept within the local government area; or

(b) if the animal is:

(i) less than 12 weeks old;

(ii) a native non-domestic animal for which a permit is required under other Queensland or Commonwealth legislation; or

(iii) kept on land where authorised by a development approval under the Planning Act or which is an exempt or **accepted** use under the Planning Act.

~~{3}~~ To obtain a permit, an application must be made to ~~Council—the local government~~ on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

~~{24}~~ Under this Division, the local government may not require a permit for keeping a restricted dog.

~~6~~ Keeping of animals requires a permit

~~{1}~~ An owner of an animal identified in Column 1 of Schedule 2 to *Subordinate Local Law No. 2 (Animal Management) 2016*, in circumstances expressed in Column 2 of Schedule 2, requires a permit to keep the animal.

~~{2}~~ Despite subsection (1) a permit is not required in the following circumstances:

- ~~(a) for an animal less than 12 weeks old;~~
 - ~~(b) for any native non-domestic animal for which a permit is required under other Queensland or Commonwealth legislation;~~
 - ~~(c) any period up to 14 days after starting to keep an animal in the local government area; and~~
 - ~~(d) the keeping of animals on land where authorised by a development approval under the Planning Act or which is an exempt or self-assessable use under the Planning Act.~~
- ~~(3) Keeping of other animals does not require a permit under this local law.~~
- ~~(4) Under this Division, the local government may not require a permit for keeping a restricted dog.~~

76 Additional criteria for the granting of permit

The following criteria are criteria that must be considered for the granting of a permit:

- (a) whether the premises is physically suitable for the keeping of the animal;
- (b) whether a residence exists on the land;
- (c) whether the applicant for the permit or some other suitable person to supervise the animal will be a resident on the land on which the animal is to be kept and will supervise the animal;
- (d) ~~where if~~ required by law that the animal ~~is~~be registered, whether the animal is registered;
- (e) whether the animal has been implanted with a PPID;
- (f) whether the enclosure in which the animal is to be kept is of a suitable standard;
- (g) whether there is a likelihood of the animal causing nuisance, inconvenience, or annoyance to the occupiers of adjoining or surrounding land;
- (h) whether the presence of the animal will affect the amenity of the surrounding area;
- (i) whether the applicant, ~~applicant's the~~ animal and/or the address where the animals ~~are~~is to be kept has ~~ve~~ been the subject of a complaint to the local government about a Local Laws matter ~~where the complaint which~~ has been investigated by Council the local government and has been found to be valid;
- (j) whether there is a likelihood that there will be an effect on the local environment and a potential for pollution;
- (k) whether there is a likelihood that there will be any other environmental damage;

- (l) whether the animal is kept on premises primarily to protect or preserve the health or welfare of the animal by an animal carer; and
- (m) the number of animals permitted.

87 Conditions that must be imposed on permits

{1} The following types of conditions must be imposed on ~~permits, where applicable~~ a permit so as to require the permit holder to:

~~(a) identify each specific animal to which the permit relates, other than for the instance of an animal carer;~~

(a) keep only the specified animals to which the permit relates at the property nominated in the permit;

(b) advise the local government in the event that there is a death or departure of a specific animal to which the permit relates, other than for an animal kept by an animal carer;

(c) care for the animal in accordance with appropriate and reasonable standards;

(d) keep the animal in enclosures that comply with reasonable standards;

(e) ensure that any enclosure in which the animal is kept is maintained in:

(i) a clean and sanitary condition and disinfected regularly; and

(ii) an aesthetically acceptable condition;

(f) ensure that any enclosure in which the animal is kept is properly drained and that any run-off from the enclosure is kept off of adjoining land;

~~comply with reasonable standards of hygiene;~~

~~(g) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person;~~

(g) ensure that excreta, food scraps and other material that is, or is likely to become, offensive:

(i) is collected daily; and

(ii) if not immediately removed from the premises, is kept in a water proof receptacle that prevents access to flies and vermin and does not allow the emission of nuisance odours and is removed at least weekly and disposed of in such a manner so as not to be a nuisance or injurious to health;

(h) ensure that each dog and cat is registered and implanted with an approved PPID;

(i) take all reasonable steps to ensure that the animal does not cause nuisance, inconvenience or annoyance to others; and

~~(j) specify the total number and types of animals that can be kept; and~~

(j) take specified action to protect against possible harm to the local environment.

{2} In addition to sub-section (1), a permit granted under this local law must also:

(a) identify each specific animal to which the permit relates, other than for the instance of an animal carer; and

(b) specify the total number and types of animals that can be kept by the permit holder.

9 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on permits, where applicable:

permits are to be renewed on the 1st day of July each year; and

(a) where an animal carer is granted a permit, the holder of the permit or some other suitably qualified person must supervise and be present on the premises at all times.

Division 3 Animals for which desexing is required

408 Requirement to desex an animal

{1} The local government may, by subordinate local law, require an animal of a particular species or breed to be desexed.

{2} The subordinate local law may:

(a) specify that the requirement for desexing only applies once an animal reaches a certain age; and

(b) exempt animals under particular circumstances.

Example for paragraph (b):

Exemption might be provided for an animal that is owned by a member of a recognised breeders' association for the purposes of breeding or showing.

{3} An owner or responsible person must not keep an animal that is required to be desexed unless the animal has been desexed.

Maximum penalty ~~for subsection (3)~~—20 penalty units.

Division 4 Minimum standards

419 Minimum standards for keeping animals

{1} This ~~Section~~ specifies the minimum standards to be complied with by an owner or responsible person who keeps an animal on premises.

{2} ~~The keeper of the~~The owner or responsible ~~A person who keeps an~~ animal must:

- (a) ensure that any land adjoining a road on which an animal is kept is adequately fenced so as to prevent animals escaping from the land onto the road;
- (b) ~~ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person~~ensure that any enclosure in which the animal is kept is properly drained and that any run-off from the enclosure is kept off of adjoining land;
- ~~(c) ensure that:~~
 - ~~(i) excreta, food scraps and other material that is, or is likely to become, offensive (“waste”) is collected at least daily;~~
 - ~~(ii) such waste, if not immediately removed from the premises, is kept in a water proof receptacle that prevents access to flies and vermin and does not allow the emission of nuisance odours; and~~
 - ~~(iii) such waste is removed at least weekly and disposed of in such a manner so as not to be a nuisance or injurious to health;~~
- (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive:
 - (i) is collected daily; and
 - (ii) if not immediately removed from the premises, is kept in a water proof receptacle that prevents access to flies and vermin and does not allow the emission of nuisance odours and is removed at least weekly and disposed of in such a manner so as not to be a nuisance or injurious to health;
- (d) ensure that any enclosure in which the animal is kept is properly maintained in a manner which ensures it is:
 - (i) in a clean and sanitary condition;
 - (ii) in good repair and appearance; and
 - (iii) free from flies, rats, or other vermin and nuisance odours;
- (e) ensure that any enclosure in which the animal is kept is not located within 10m of a place used for the preparation of food other than a place used for the preparation of food by the owner of, or the responsible person for, the animal;
- (f) ensure that any enclosure provides adequate space for the type of animal being kept therein;
- (g) provide and maintain impervious rat-proof receptacles and other impervious rat-proof storeroom facilities for the storage of feed;
- (h) provide the animal with and ensure the animal has access to adequate shelter from sun, wind and rain;

- (i) provide the animal with an appropriate quantity and quality of food and an appropriate quantity of clean drinking water to maintain ~~thean~~ animal in good health; and
 - (j) ensure that an animal is kept so that it does not:
 - (i) cause an unreasonable nuisance; or
 - (ii) become injurious or prejudicial to health.
- (3) The following criteria-matters must be considered to determine whether noise is a nuisance for the purpose of paragraph 944(2)(j)(i):
- (a) a nuisance includes a noise made by an animal that disrupts or inhibits an activity ordinarily carried out on adjoining or nearby residential premises. It is a nuisance if a person's attention is merely diverted by the noise of the animal;
 - (b) it is not necessary that the degree of interference from the noise is such as to be continuous, or to make it practically impossible to:
 - (i) hold a conversation;
 - (ii) watch television;
 - (iii) listen to a radio or recorded material at ordinary volumes; or
 - (iv) fall or stay asleep; and
 - (c) any occurrence by which a person is woken from sleep is a nuisance. It is not necessary that it be a repeated or ongoing interruption of sleep or that it be the total shattering of sleep.
- (4) The following criteria-matters must be considered when deciding whether a nuisance is unreasonable for the purpose of paragraph 944(2)(j)(i):
- (a) has the local government received up to 3 complaints of a contravention of subsection 944(2)(j)(i) from up to 3 persons all of whom occupy separate premises in the same or an adjoining street to the premises the subject of the complaints;
 - (b) has the local government received 2 complaints of a contravention of subsection 944(2)(j)(i) in circumstances where the land the subject of the complaints is not located in an area occupied predominantly by residential premises;
 - (c) animal noise is made for more than a total of 5 minutes in any 30 minute period on any day after 10pm and before 7am; ander
 - (d) animal noise is made for more than a total of 10 minutes in any hour from 7 am to 10pm on any day.
- (5) An authorised person may, ~~on receiving a complaint of~~ give a compliance notice to the owner or responsible person who keeps an animal in contravention of subsection (2) ~~by an animal, give the owner or responsible person a compliance notice.~~

4210 Particular animals

- (1) The specific standards for keeping particular animals are in addition to the minimum standards in section 449 and are prescribed for animals identified in Column 1 of Schedule 3, of *Subordinate Local Law No. 2 (Animal Management) 2016*, in circumstances described in Column 2 of Schedule 3.
- ~~(2)~~ An authorised person may give a compliance notice to the owner or responsible person who keeps an animal if a specific standard for keeping the animal is not complied with.

4311 Permit conditions

If a person is required to hold a permit to keep an animal, the obligation to comply with the minimum standards prescribed by this local law or subordinate local law is in addition to an obligation imposed by a condition of the permit.

4412 Determination of **relevant** standards where **there is an** inconsistency

- (1) The conditions of a Planning Act approval prevail to the extent of any inconsistency with the conditions of a permit, specific standards and minimum standards.
- (2) The conditions of a permit prevail to the extent of any inconsistency with specific standards and minimum standards.
- (3) Specific standards prevail to the extent of any inconsistency with minimum standards.

4513 Offence

- (1) The owner or A-responsible person who keeps an animal must ensure that the relevant minimum standards in section 9 and specific standards contained in sections 11 and 12 of this local law are complied with.
Maximum penalty ~~for this Division~~—20 penalty units.
- ~~(2)~~ The owner or responsible person who keeps an animal must ensure that the specific standards for keeping the particular animal prescribed in Schedule 3 of *Subordinate Local Law No. 2 (Animal Management) 2016* are complied with.
Maximum penalty—20 penalty units.

Division 5 Prohibition on breeding animals

4614 Prohibition on breeding animals

- (1) The breeding of animals is prohibited unless exempted by prescription of breed or species in Column 1 of Schedule 4 of *Subordinate Local Law No. 2 (Animal Management) 2016*, in the circumstances defined in Column 2 of Schedule 4.
- (2) A person must not breed an animal in contravention of a prohibition under this section.
Maximum penalty ~~for subsection (2)~~—50 penalty units.

Division 6 Cat registration

4715 Registration of cats

- {1} The owner of a cat over 12 weeks old must register the cat with the local government.
Maximum penalty ~~for subsection (1)~~—20 penalty units.
- {2} Registration is for the life of the cat and only one fee will be charged at the date of registration, such fee being set by resolution of the local government each year in its budget.

4816 What owner must do

To register a cat with the local government, the owner of the cat must:

- (a) ensure the cat is implanted with a ~~permanent identification device~~ PPID and provide the PPID number to the local government, or provide to the local government a signed veterinary surgeon's certificate for the cat stating that implanting it with a PPID is likely to be a serious risk to the health of the cat;
- (b) give the local government the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law; and
- (c) ensure the registration form is accompanied by:
- (i) the registration fee for the cat; and
 - (ii) if it is desexed, a signed veterinary surgeon's certificate stating, or other evidence that, it has been desexed.

4917 Registration device

Upon registration of the cat with the local government, the PPID implanted in the cat is the registration device which assists in identifying a cat.

2018 Amendment of registration

- {1} This section applies if any information stated on the registration notice for a cat changes (the changed information).
- {2} The owner of the cat must, within 14 days, give the local government notice of the changed information on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.
Maximum penalty ~~for subsection (2)~~—5 penalty units.

2419 Cat register

- {1} The local government must keep a cat register about cats usually kept or proposed to be kept in the local government's area.
- {2} The cat register must include for each cat mentioned in section 2419(1), the information about the cat and its owner stated in the applicable approved forms

for the cat, which information may be amended from time to time by the owner of the cat.

Division 7 Dogs kept at address other than registered address

2220 Identification for dogs in certain circumstances

- (1) The identification prescribed under this local law in accordance with section 45 of the *Animal Management (Cats and Dogs) Act 2008*, for a dog that is at a place other than the address stated in the registration notice for the dog, is a PPID.
- (2) The owner and responsible person must ensure each dog referred to in subsection 2220(1) has a PPID.

Maximum penalty ~~for subsection (2)~~— 20 penalty units.

Division 8 Kennels, catteries, pet shops and shelters

2321 Prescribed activity

- (1) ~~Operating~~ The operation of a kennel, cattery, pet shop, ~~or shelter or combination of same,~~ is a category 1 prescribed activity requiring the operator to hold a permit to operate same.
- (2) To obtain a permit, an application must be made to the local government on the approved forms required under Local Law No. 1 (Administration) 2016 and this local law.

~~24— Operating a kennel, cattery, pet shop or shelter requires a permit~~

~~An operator of a kennel, cattery, pet shop or shelter must obtain and keep current a permit for operating the kennel, cattery, pet shop or shelter.~~

2522 Additional criteria for the granting of permit

The following criteria are criteria that must be considered for the granting of a permit, ~~whether~~:

- (a) whether the land is physically suitable for the keeping of the animals;
- (b) whether a residence exists on the land;
- (c) whether the applicant for the permit or some other suitable person to supervise the animals will be a resident on the land on which the animals are to be kept;
- (d) whether the animals will be properly supervised;
- (e) whether the applicant has been refused a similar type of permit by a local government;
- (f) whether the applicant is a suitable person to hold the permit;
- (g) whether the enclosures in which the animals are to be kept are of a suitable standard;

- (h) whether there is a likelihood of the animals causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land; and
- (i) the number of animals are permitted.

2623 Conditions that must be imposed on permits

{1} The following types of conditions must be imposed on ~~all permits, where applicable requiring the permit holder to~~ a permit so as to require the permit holder to:

- (a) care for the animals in accordance with appropriate and reasonable standards;
- (b) provide and maintain all enclosures which form part of the operation in such a manner so as to:
 - (i) be clean and in a sanitary condition;
 - (ii) prevent the escape of any animal kept in the enclosure;
 - (iii) protect the safety of staff and the public;
 - (iv) be in a state of good order and repair;
 - (v) avoid injury to any animal kept in the enclosure;
 - (vi) permit regular cleaning of all internal and external surfaces of each enclosure and regular checking of any animal within the enclosure; and
 - ~~(vii) be impervious and able to be effectively cleaned and sanitised; and~~
 - ~~(viii)~~(vii) ensure the comfort of any animal kept in the enclosure and the prevention of disease;
- (c) operate so as not to detrimentally affect the amenity of neighbouring premises;
- (d) ensure that the animals do not cause nuisance, inconvenience or annoyance to others;
- (e) maintain all fixtures, fittings, equipment and facilities ~~at the kennel~~ in a clean, tidy, sanitary and hygienic condition;
- ~~(f) not allow the storage in the open of goods, materials or activities associated with the operation;~~
- ~~(g)~~(f) store animal feed in insect and vermin proof containers;
- ~~(h)~~(g) provide waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises in the manner and location approved by an authorised person;
- ~~(i)~~(h) regularly clean and maintain all waste containers in a clean, tidy, sanitary and hygienic condition;

- ~~(j)~~(i) clean up all spillages of wastes, contaminants and other materials immediately and not hose, sweep or otherwise release such wastes, contaminants or material to any storm water system or waters;
- ~~(k)~~(j) collect waste waters from the washing down of floors, surfaces, enclosures and other areas and drain them to an approved pre-treatment device before discharge to the sewerage system;
- ~~(l)~~(k) operate so as to not attract fly breeding or vermin infestation;
- ~~(m)~~(l) operate so the premises are ~~be~~ kept free of vermin and conditions offering harborage for vermin;
- ~~(n)~~(m) comply with reasonable standards of hygiene;
- ~~(o)~~(n) ensure that the animals wear or display an appropriate identifying tag; and
- ~~(p)~~(o) comply with the minimum standards and relevant particular standards for keeping of animals specified in this local law.

~~(2)~~ For the operation of kennels, the following types of conditions must, in addition to subsection (1), be imposed on a kennel, where applicable a permit so as to require the permit holder to ensure that:

- (a) the kennel ~~must be~~ suitably and continuously ventilated to ensure that all areas on which animals are kept are free of dampness, nuisance odours and dust emissions;
- (b) only rain water from uncontaminated areas ~~may~~ drain directly into the storm water system;
- (c) the kennel, including all premises, buildings, structures, vehicles, car parks, access and egress routes, facilities and equipment of and incidental to the operation of the kennel, ~~must be~~ maintained at all times;
- (d) if a code of practice for the operation of a kennel has been approved by the local government, ~~the holder of the permit must operate~~ the kennel ~~is operated~~ in accordance with the requirements of the code of practice;
- (e) each kennel ~~shall have~~ ~~has~~ a yard appurtenant thereto;
- (f) each kennel and yard ~~shall be~~ at least ~~9m meters~~ from the boundaries of adjoining land;
- (g) each kennel and yard ~~shall be~~ at least ~~14m meters~~ from any road or street;
- (h) each kennel and yard ~~shall be~~ at least ~~18m meters~~ from any dwelling, house, church, schoolroom, hall or factory;
- (i) the walls ~~shall be~~ rigid, impervious and structurally sound;
- (j) the roof ~~shall be~~ constructed of approved impervious materials;
- (k) all untreated external surfaces of kennels ~~shall be~~ ~~are~~ painted and kept painted with good quality paint;

- (l) the lowest internal height ~~shall be~~ at least 1.8m meters from the floor;
 - (m) each yard ~~shall be~~ securely fenced and kept securely fenced with a fence at least 1.8m meters in height constructed of galvanised iron, wood, galvanised link mesh or netting;
 - (n) all gates ~~shall be~~ provided with proper catches or means of fastening;
 - (o) the upper surface of the floor of each kennel ~~shall be~~ set at least 100 mm above the surface of the surrounding ground and ~~shall be~~ constructed of granolithic cement finished to a smooth surface ~~with, it shall have~~ a fall of not less than 1 in 100;
 - (p) the entire yard ~~shall be~~ surrounded by a drain which ~~shall be~~ properly laid, ventilated and trapped. All floor washings ~~shall be~~ to pass through this drain and ~~shall be~~ disposed of to an approved pre-treatment device before discharge to the sewerage system;
 - (q) the floor of any yard ~~which is floored shall be~~ constructed in the same manner as the floor of any kennel as provided in the preceding paragraphs;
 - (r) ~~for each dog kept therein every in the~~ kennel ~~shall have~~ not less than 1.8m² of floor space and every yard not less than 2.3m²; and
 - (s) all kennels and yards, and all feeding and drinking vessels, ~~shall be~~ maintained in a clean condition and regularly cleaned and disinfected.
- (3) For the operation of catteries only, the following types of conditions must, in addition to subsection (1), be imposed on a cattery where applicable permit so as to require the permit holder to ensure that:
- (a) ~~the~~ cats ~~shall be~~ housed in walk-in modules that include a sleeping compartment and an exercise area or in colony pens;
 - (b) ~~the~~ cats ~~must be~~ housed singly except in the case of compatible cats from the same household with the written agreement of the owner;
 - (c) walk-in modules ~~must have~~ a minimum floor area of 1.5m² square meters and contain at least two levels including raised sleeping quarters for a single cat and an additional ~~1m² one square meter~~ floor space for a second cat. No more than two cats may be housed together in a walk-in module;
 - (d) cats may be multiple housed in colony pens. Each cat shall have a floor area of ~~2m² two square meters~~ plus an individual sleeping area. Only desexed compatible cats should be housed in colony pens;
 - (e) each module and pen shall be at least ~~9m nine meters~~ from the boundaries of adjoining land;
 - (f) each module and pen shall be behind any house line;
 - (g) the walls shall be rigid, impervious and structurally sound;
 - (h) the roof shall be constructed of approved impervious materials;

- (i) all untreated external surfaces of the cattery shall be well maintained and aesthetically suitable as not to detract from the local environment and amenity;
- (j) the lowest internal height shall be at least 1.65m meters from the floor;
- (k) each pen shall be securely fenced and kept securely fenced with a fence at least 1.65m meters in height constructed of galvanised iron, wood, galvanised link mesh or netting;
- (l) all doors shall be provided with proper catches or means of fastening;
- (m) the upper surface of the floor shall be set at least 75mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface, it shall have a fall of not less than 1 in 100;
- (n) all modules and pens shall be surrounded by a drain which shall be properly laid, ventilated and trapped. All floor washings shall pass through this drain and shall be disposed of to an approved pre-treatment device before discharge to the sewerage system;
- (o) the floor of any yard shall be established and maintained to ensure a safe and hygienic environment;
- (p) all modules and pens and all feeding and drinking vessels shall be maintained in a clean condition and regularly cleaned and disinfected.

(4) For the operation of pet shops only, ~~the~~ the following types of conditions must, in addition to subsection (1), be imposed on a ~~pet shop where applicable permit so as to require the permit holder to ensure that:~~

- (a) all excreta, soiled bedding and other waste must be collected at least once each day and disposed of in a manner which will not:
 - (i) cause environmental harm;
 - (ii) become a breeding place for flies;
 - (iii) cause an odour nuisance; or
 - (iv) endanger the health or safety of any person;
- (b) each owner of, and responsible person for, an animal kept on premises used for the purposes of the operation of a pet shop must, if a code of practice for the keeping of animals at a pet shop has been approved by the local government, ensure that the animal is kept in accordance with the requirements of the code of practice; and
- (c) cages and containers used for keeping animals must be cleaned and disinfected daily.

(5) For the operation of shelters only, ~~the~~ the following conditions must, in addition to subsection (1), ~~to~~ be imposed on a ~~permits~~ shelter in addition to the general conditions applied to all permits will be:

- (a) ~~whereif~~ dogs are kept, the conditions imposed on a kennel as outlined in subsection (2);
- (b) ~~whereif~~ cats are kept, the conditions imposed on a cattery as outlined in subsection (3); and
- (c) ~~whereif~~ other animals are kept, the conditions imposed on a pet shop as outlined in subsection (4).

~~27~~ **Conditions that will ordinarily be imposed on permits**

~~The following types of conditions will ordinarily be imposed on permits, where applicable:~~

- ~~(a) permits to be renewed on the 1st day of July each year; and~~
- ~~(b) a condition limiting the number of animals or species of animals kept on the land.~~

Part 3 Control of animals

Division 1 Animals in public places

2824 Application of this part

Sections ~~2925~~ and ~~3227~~ do not apply to:

- (a) a guide dog;
- (b) an assistance dog (other than a guide dog) provided the dog is:
 - (i) under effective control;
 - (ii) is not a regulated dog;
 - (iii) is not a dog that is on heat; and
 - (iv) is wearing a jacket and tag identifying it as an assistance dog; and
- (c) a security dog provided the dog is under the control of a competent handler and being used in connection with the business or an organisation approved by the local government to carry out security services.

2925 Exclusion of animals

- ~~{1}~~ The local government may, by resolution, ~~Subordinate Local Law No.2 (Animal Management) 2016 Schedule 5, specifies in Column 2 the animals declare that an animal~~, or animals of a particular species or breed, ~~that are prohibited in thea particular public places specified in Column 1.~~
- ~~{2}~~ The owner or responsible person for an animal must ensure that the animal is not in a public place in contravention of a ~~prohibition specified~~ declaration made under subsection (1).

Maximum penalty ~~for subsection (2)~~—20 penalty units.

- ~~(2)~~ Following a declaration under sub-section(1), the local government must:
 - (a) properly identify those animals that are prohibited and the description of particular public places in which they are prohibited;
 - (b) record those details within a Designated Register; and
 - (c) ensure the Designated Register is kept up-to-date and made available to the public for inspection at all times; and
 - (d) for any amendments made to the Designated Register, following a resolution of the local government under subsection (1), ensure the public is notified of those changes.

Example for subsection (3)(c):

The local government may make the Designated Register available for inspection by the public by publishing a current version on its website.

~~(3)(4)~~ The local government must take reasonable steps to provide notice to members of the public regarding the animals that are prohibited in a particular public place.

~~(4)(5)~~ In this section reasonable steps include, the display of a notice at a prominent place within the particular public place, stating the animals that are prohibited in the place.

~~(5)(5)~~ Sub-section 2925(1) does not apply to animals that are specifically permitted in another permit issued under a local law.

3026 Dog off-leash areas

~~(1)~~ The local government may, by resolution, by Subordinate Local Law No. 2 (Animal Management) 2016 Schedule 6, designate declare specific areas within a public place as an area where a dog is not required to be on a leash (a dog off-leash area).

- ~~(2)~~ Following a declaration under sub-section(1), the local government must:
 - (a) properly identify and describe all dog off-leash areas that have been declared;
 - (b) record those details within the Dog Off-Leash Register; and
 - (c) ensure the Dog Off-Leash Register is kept up-to-date and made available to the public for inspection; and
 - (d) for any amendments made to the Dog Off-Leash Register, following a resolution of the local government under subsection (1), ensure the public is notified of those changes.

Example for paragraph (2)(c):

The local government may make the Dog Off-Leash Register available for inspection by the public by publishing a current version on its website.

~~(3)(3)~~ The local government must take reasonable steps to provide notice to members of the public regarding the designation of an area as a dog off-leash area.

- (2) In this section:
- (4) reasonable steps include, ~~as a minimum,~~ the display of a notice at a prominent place within the dog off-leash area indicating the extent of the area designated as a dog off-leash area.

3127 Control of animals in public places

- (1) Without limiting the operation of section 25, ~~the~~ owner or responsible person for an animal must ensure that the animal is not in a public place:
 - (a) unless the animal is under the effective control of someone; and
 - (b) if the animal is a declared dangerous animal, unless the animal is securely restrained to prevent it from:
 - (i) attacking a person or animal;
 - (ii) acting in a way that causes fear to a person or animal; or
 - (iii) causing damage to property.

Maximum penalty ~~for subsection (1)~~—

(a) if the owner or responsible person for the animal has received a penalty infringement notice for the offence on more than 2 occasions within a 12 month period—50 penalty units; or

(b) otherwise—20 penalty units.

- (2) The owner or responsible person for a dog that is on heat must ensure that the animal is not in a public place.

Maximum penalty ~~for subsection (2)~~— 20 penalty units.

- (3) For the purposes of this local law, a ~~An~~ animal is under the effective control of someone only if:
 - (a) a person who is physically able to control the animal;
 - (i) is holding it by an appropriate leash, halter or rein;
 - (ii) has appropriately tethered it to an object fixed to a place from which the object cannot be moved by the animal and is continuously supervising the animal; or
 - (iii) has corralled it in a temporary enclosure adequate to contain the animal and is continuously supervising the animal;
 - (b) the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities;
 - (c) the animal is a dog in a dog off-leash area and under the supervision of a person who is able to control the animal by voice command;
 - (d) the animal is participating in, or being exhibited or trained at, an exhibition or an obedience trial supervised by a body recognised for this section by the local government; or

- (e) the animal is a working dog actually engaged in moving livestock and under the supervision of a person who is able to control the animal by voice command.

3228 Person in control of ~~dog or~~ prescribed animal to clean up faeces

If any type of animal listed below defecates in a public place, the person who has control of the ~~dog or~~ animal must immediately remove and dispose of the faeces in a sanitary way:

- (a) dogs;
- (b) cats;
- (c) horses;
- (d) cattle, including but not limited to cows, steers, bulls and oxen;
- (e) goats;
- (f) donkeys;
- (g) camels;
- (h) sheep; or
- (i) any other animal for which an authorised person directs its faeces to be removed.

Maximum penalty ~~for section 32~~ — 20 penalty units.

Division 2 Restraint of animals

3329 Duty to provide proper enclosure and prevent animal from wandering

- (1) An owner or responsible person ~~who keeps for~~ an animal must maintain a proper enclosure ~~that preventse~~ keep the animal on the subject land ~~and prevent the animal~~ from wandering at large or escaping from the person's land.

Maximum penalty ~~for subsection (1)~~ —

- (a) if the owner or responsible person for the animal has received a penalty infringement notice for the offence on more than 2 occasions within a 12 month period—50 penalty units; or

~~(a)(b)~~ otherwise—20 penalty units.

- (2) The requirements for a proper enclosure for an animal is a fence of a suitable height and construction method and materials to prevent the animal housed on the land from escaping from the subject land over, through or under the fence.

- (3) The owner ~~and or the~~ responsible person of the animal must ensure that it is not wandering at large.

Maximum penalty ~~for subsection (3)~~ —

(a) if the owner or responsible person for the animal has received a penalty infringement notice for the offence on more than 2 occasions within a 12 month period—50 penalty units; or

~~(a)~~(b) otherwise—20 penalty units.

{4} It is a defence to a prosecution for an offence against subsection (3) for the defendant to prove that:

(a) the defendant maintained a proper enclosure for the animal and could not, by the exercise of reasonable diligence, have prevented the escape of the animal; or

(b) the animal was wandering at large in circumstances authorised by the conditions of an permit approval granted under a local law.

Example for paragraph (b):

The conditions of an approval permit to keep racing pigeons might authorise the approval permit holder to release the pigeons from their enclosure for a certain amount of time each day and during official pigeon racing events.

Division 3 ~~Aggressive behaviour~~ General offences relating to animals other than dogs

3430 Limited application of division to dogs

~~Unless otherwise indicated, t~~This division does not apply in relation to ~~aggressive behaviour by a dogs.~~

{1} In this section:

~~**aggressive behaviour** means attacking, or acting in a way that causes fear to, someone else or another animal.~~

3531 Animals not to attack or cause fear to persons or animals

{1} ~~A~~The owner or responsible person for an animal must take reasonable steps to ensure the animal does not attack, or act in a way that causes fear to, someone else a person or another animal. ~~display aggressive behavior:~~

Maximum penalty ~~for subsection (1):—~~

(a) if the attack causes the death of or grievous bodily harm to a person—500 penalty units;

(b) if the attack causes the death of or grievous bodily harm to another animal—100 penalty units;

(c) if the attack causes bodily harm to a person or another animal—50 penalty units; or

(d) otherwise—20 penalty units.

{2} A person must not allow or encourage an animal to attack, or act in a way that causes fear to, a person or another animal. ~~display aggressive behaviour.~~

Maximum penalty ~~for subsection (2):~~ —

- (a) if the attack causes the death of or grievous bodily harm to a person—500 penalty units;
- (b) if the attack causes the death of or grievous bodily harm to another animal—100 penalty units;
- (c) if the attack causes bodily harm to a person or another animal—50 penalty units; or
- (d) otherwise—20 penalty units.

{3} In this section:

allow or encourage, without limiting the *Criminal Code*, sections 7 and 8, includes cause to allow or encourage.

another animal does not include vermin that are not the property of anyone.

Examples of vermin that are someone's property:

- a pet mouse or guinea pig
- vermin that are protected animals under the *Nature Conservation Act 1992*.

3632 Defences for offence against section 3531

It is a defence to a prosecution for an offence against section 3531 for the defendant to prove that the animal ~~displayed aggressive behavior~~ attacked, or acted in a way that caused fear to, the other person or the animal:

- (a) as a result of the animal being attacked, mistreated, teased, or provoked by the other person or other animal; or
- (b) to protect the ~~responsible person~~ defendant, or a person accompanying the ~~responsible person~~ defendant (the accompanying person), or the ~~responsible person's~~ defendant's or accompanying person's property.

Division 4 Dangerous animals other than dogs

3733 Declaration of dangerous animal other than a dog

{1} An authorised person may declare an animal, other than a dog, to be a declared dangerous animal having regard to the following criteria:

- (a) whether the animal has attacked a person or an animal;
- (b) whether in the opinion of an authorised person the animal is likely to attack or worry a person or an animal;
- (c) whether the animal has been trained or is used to attack for the purpose of guarding either persons or property; and
- (d) whether the animal has been declared as a declared dangerous animal by another local government.

{2} A declaration under subsection (1) takes effect at the time the local government gives the owner or responsible person for the animal an information notice about the declaration.

~~(2)(3)~~ The declaration may be made even if the animal is not in the local government's area.

3834 Power to require responsible person for declared dangerous animal to take specified action

An authorised person may, by giving a compliance notice, require the owner or responsible person for a declared dangerous animal to take specified action:

- (a) to warn persons who enter land on which the animal is kept of the presence of a declared dangerous animal on the land; and
- (b) to ensure that the animal remains in secure custody and is unable to attack or cause fear to persons or other animals or cause damage to another person's property.

Part 4 Seizure, impounding or destruction of animals

Division 1 Seizure of animals

3935 Seizure of animals

~~(1)~~ An authorised person may seize any animal (including a dog) in the following circumstances:

- (a) the animal is found wandering at large;
- (b) a person has found the animal wandering at large on public land and delivered it to the authorised person;
- (c) an occupier of private land has found the animal wandering at large on the land on which they occupy, taken it under effective control and requested that the authorised person to enter the land to seize it;

~~(d)~~ a person, the owner or a responsible person for the animal has not complied with a compliance notice that has been issued in relation to compliance with the local government's ~~this~~ local laws, relating to that animal;

~~(d)~~~~(e)~~ the animal is being kept on premises in contravention of a prohibition prescribed in Schedule 1 of Subordinate Local Law No. 2 (Animal Management) 2016;

~~(e)~~~~(f)~~ the authorised person considers on reasonable grounds that the animal has been abandoned, left or found on a road in the circumstances mentioned in section 100(12) of the TORUM Act; or

~~(f)~~~~(g)~~ the animal was bred in breach of section ~~16~~14 and is more than 12 weeks old.;

~~(2)~~ An authorised person may seize an animal, other than a dog, if the person reasonably believes the animal:

- (a) has attacked, threatened to attack or acted in a way that causes fear to, a person or another animal; or
 - (b) is, or may be, a risk to community health or safety.
- (3) An authorised person is not obliged to accept the custody of an animal under this section.
- (4) For the purposes of seizing an animal, an authorised person may take any action, including the use of force, which is reasonable in the circumstances to capture or control the animal.
- (5) In this section:
abandoned includes leaving the animal for an unreasonable period, having regard to community health and safety.

Division 2 Destruction of animal without notice

4036 Power to immediately destroy seized animal

- (1) This section applies where an authorised person has seized an animal, other than a regulated dog, under this local law or another law.
- (2) The authorised person may, without notice, immediately destroy the animal if:
- (a) the authorised person reasonably believes the animal is dangerous and the authorised person cannot control it;
 - (b) the animal is significantly suffering as a result of disease, severe emaciation or serious injuries; or
 - (c) an owner of the animal has requested the authorised person to destroy it.

Division 3 Return or impounding of animals

4137 Immediate return of animal seized wandering at large

- (1) This section applies where:
- (a) an animal has been seized under section 3935(1)(a)(b) or (c); and
 - (b) the authorised person who seizes the animal knows, or can readily find out, the name and address of the owner or responsible person for the animal.
- (2) The authorised person may return the animal to the owner or responsible person.

4238 Impounding of seized animal

An authorised person who seizes an animal under this local law or another law may impound the animal at a place of care for animals operated by:

- (a) the local government; or

- (b) another organisation or local government prescribed by Schedule 79 in *Subordinate Local Law 2 (Animal Management) 2016*.

*Example for paragraph (a):
An animal pound.*

*Example for paragraph (b):
A veterinary surgery or an animal refuge.*

4339 What is a notice of impounding

{1} A notice of impounding means a written notice, given to the owner or responsible person for an animal, stating that:

- (a) the animal has been impounded; and
- (b) the animal may be reclaimed within the prescribed period provided that:
 - (i) the cost-recovery fee is paid;
 - (ii) if a permit or registration is required for the keeping of the animal and the owner or responsible person does not have the permit or registration, - the permit or registration is obtained and paid for;
 - (iii) if a PPID is required for the keeping of the animal, that a PPID has been implanted in the animal;
 - (iv) if the animal has been seized under section 3935(1)(d) and:
 - (A) the compliance notice was issued for an unreasonable nuisance pursuant to section 9(2)(j)(i) of this local law— that the owner or responsible person can demonstrate to the reasonable satisfaction of an authorised person that they will be able to comply with the relevant compliance notice; or
 - (B) the compliance notice was issued for any other matter not referred to in subsection (1)(b)(iv)(A)—, that the owner or responsible person has complied with the relevant compliance notice;
 - (v) continued retention of the animal is not needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; and
 - (vi) no destruction order has been made for the animal.

{2} In this section, relevant compliance notice means the compliance notice mentioned in section 3935(1)(d).

4440 Dealing with animal seized and impounded for wandering at large

{1} Subsection (2) applies where:

- (a) an authorised person has impounded an animal seized under section 3935(1)(a), (b) or (c);
- (b) the animal was not a declared dangerous animal or a regulated dog at the time of being seized; and

- (c) the authorised person knows, or can readily find out, the name and address of the owner or responsible person for the animal.
- {2} The authorised person must give the owner or responsible person a notice of impounding.
- {3} Subsection (4) applies where:
 - (a) an authorised person has impounded a declared dangerous animal (other than a dog) seized under section [3539\(1\)\(a\),\(b\) or \(c\) \(d\)](#); or
 - (b) an authorised person has impounded an animal (including a dog) that has been seized [under section 35\(1\)\(a\), \(b\) or \(c\)](#) more than 3 times during a 12 month period.
- {4} The authorised person may:
 - (a) give the owner or responsible person for the animal a notice of impounding; or
 - (b) make a destruction order for the animal under section [4945](#).

4541 Dealing with animal seized and impounded for non-compliance with local law

- {1} ~~This section~~ [Subsection \(2\)](#) applies where an authorised person has impounded an animal seized under section [3935\(1\)\(d\) or \(e\) and the animal was not a declared dangerous animal at the time of being seized](#).
- {2} The authorised person may:
 - (a) give the owner or responsible person for the animal a notice of impounding; or
 - [\(b\) if:](#)
 - [\(i\)](#) the animal was being kept in contravention of Part 2, Divisions 1 - 5 of this local law; or
 - [\(ii\)](#) is an animal for which a permit cannot be granted under this local law; or
 - [\(iii\)](#) is an animal for which an application for a permit under this local law has been rejected,dispose of the animal under Part 4, Division 5.
- {3} [Subsection \(4\) applies where an authorised person has impounded an animal seized under section 3935\(1\)\(d\) and the animal was a declared dangerous animal at the time of being seized.](#)
- {4} The authorised person may:
 - [\(a\) give the owner or responsible person for the animal a notice of impounding; or](#)
 - [\(b\) make a destruction order for the animal \(other than a dog\) under section 45.](#)

4642 Dealing with animal seized and impounded for displaying aggressive behaviour

- {1} This section applies where an authorised person has impounded an animal seized under section ~~39~~35(2);
- {2} The authorised person may:
- (a) make a destruction order for the animal under section 49~~45~~; or
 - (b) give the owner or responsible person a notice of impounding.

4743 Reclaiming an impounded animal

- {1} This section applies where:
- (a) the owner or responsible person for an animal has been given a notice of impounding; or
 - (b) an authorised person does not know, and cannot readily find out, the name and address of an owner or responsible person for the animal.
- {2} The animal may be reclaimed by an owner or responsible person if the owner or responsible person:
- (a) reclaims the animal within the prescribed period;
 - (b) pays the cost-recovery fee;
 - (c) if a permit or registration is required for the keeping of the animal and the owner or responsible person does not have the permit or registration, obtains the permit or registration;
 - ~~(e)~~(d) if a PPID is required for the keeping of the animal, that a PPID has been implanted in the animal; and
 - (e) if the responsible person has not complied with a current compliance notice that has been issued in relation to compliance with this local law, complies with the compliance notice; and:
 - (A) the compliance notice was issued for an unreasonable nuisance pursuant to section 9(2)(j)(i) of this local law— that the owner or responsible person has demonstrated to the reasonable satisfaction of an authorised person that they will be able to comply with the relevant compliance notice; or
 - (B) the compliance notice was issued for any other matter not referred to in subsection (2)(e)(A)— that the owner or responsible person has complied with the relevant compliance notice.
- {3} The animal may not be reclaimed by an owner or responsible person if:
- (a) continued retention of the animal is needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; or
 - (b) a destruction order has been made for the animal.

- ~~{4}~~ The animal may be reclaimed by an owner or responsible person for the animal if an event as follows happens:
- (a) if subsection (3)(a) applies:
 - (i) an authorised person advises the owner or responsible person that the animal's continued retention as evidence is no longer required; and
 - (ii) the owner or responsible person has satisfied subsection (2)(b)- ~~to~~ (ed);
 - (b) if subsection (3)(b) applies:
 - (i) an application of a review or an appeal- is made relating to the destruction order and, as a result of the review or appeal, the order is no longer in force; and
 - (ii) the owner or responsible person has satisfied subsection (2)(b) to - ~~(ed)~~.
- ~~{5}~~ The **prescribed period** is:
- (a) if the animal is registered with the local government, 5 days; or
 - (b) if the animal is not registered with the local government, 3 days, commencing on the day a notice of impounding is given to a person or, if no notice is given to a person, on the day of the seizure.
- ~~{6}~~ The prescribed period may be extended in writing at the sole discretion of the local government upon the owner or responsible person providing evidence that it will take longer than the prescribed period to comply with subsection (2)(c) ~~, or~~ 2(d) or 2(e).

4844 Surrendering an impounded animal

- ~~{1}~~ An owner or responsible person may surrender ownership of the animal to the local government.
- ~~{2}~~ To surrender ownership the owner or responsible person must complete the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law and the local government must permit the surrender to it.

Division 4 Destruction of animal following notice

4945 Destruction orders

- ~~{1}~~ An authorised person may make an order (a destruction order) stating the person proposes to destroy an animal 14 days after the order is served.
- ~~{2}~~ A destruction order may only be made in one or more of the following circumstances:

- (a) ~~the an animal (other than a dog) has displayed aggressive behaviour attacked, or acted in a way that causes fear to, a person or another animal;~~
 - (b) the animal is a declared dangerous animal and was found wandering at large; or
 - (c) the animal has been seized more than three times during a 12 month period.
- (3) The destruction order must:
- (a) be served on the owner or responsible person for the animal; and
 - (b) include or be accompanied by an information notice.
- (4) If a destruction order is made for the animal, the person may destroy the animal 14 days after the order is served if no review application has been made relating to the decision to make the order.
- (5) If an application for review has been made relating to the decision to make the order, the person may destroy the animal if:
- (a) the review is finally decided or is otherwise ended;
 - (b) the order is still in force; and
 - (c) the time allowed for filing a notice of appeal has expired and no notice of appeal has been filed.
- (6) If an appeal is made relating to the decision to make the order, the person may destroy the animal if:
- (a) the appeal is finally decided or is otherwise ended; and
 - (b) the order is still in force.
- (7) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if:
- (a) a review relating to the decision to make the order is finally decided or is otherwise ended;
 - (b) no application for an appeal has been made against the order;
 - (c) the order is no longer in force; and
 - (d) the owner or responsible person has satisfied sections [4743\(2\)\(b\)](#) to - (ed).
- (8) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if:
- (a) an appeal relating to the decision to make the order is finally decided or is otherwise ended;
 - (b) the order is no longer in force; and

- (c) the owner or responsible person has satisfied sections [4743\(2\)\(b\)](#) ~~to~~ - ~~(de)~~.

(9) In this section:

review means a review conducted under the process mentioned in Part 4 of *Local Law No.1 (Administration) 2016*.

appeal means an appeal under Part 5 of this local law.

Division 5 Disposal of impounded animals

5046 Application of this division

This division applies where:

- (a) an impounded animal has not been reclaimed within the prescribed period under section [4743\(5\)](#);
- (b) if section [4743\(3\)\(a\)](#) applies, the impounded animal has not been reclaimed within 3 days of an authorised person's advice to the owner or responsible person that the animal's continued retention as evidence is no longer required;
- (c) if section [4743\(3\)\(b\)](#) applies, the impounded animal has not been reclaimed within 3 days of the completion of a review or appeal that caused a destruction order to no longer be in force;
- (d) an authorised person has seized an animal mentioned under section [3935\(1\)](#); or
- (e) the owner of an animal has surrendered the animal to the local government.

5147 Sale, disposal or destruction of animals

(1) The local government may:

- (a) offer the animal for sale by public auction or by tender;
- (b) sell the animal by private agreement;
- (c) dispose of the animal in some other way without destroying it; or
- (d) destroy the animal.

(2) An animal may only be sold or disposed of under subsection (1) if the local government is satisfied that this will not result in the animal being kept in contravention of the requirements of this local law.

Examples:

- *A pig that has been seized because it is being kept in an urban area in contravention of a prohibition under a local law could be sold to a person outside the urban area but not to another person in an urban area.*
- *An animal that a subordinate local law has prohibited in any part of the local government area could not be sold to a person who resides within the local government area.*
- *A declared dangerous animal could only be sold to a person who has complied with any*

specified requirements for keeping such an animal.

- {3} If an animal is to be offered for sale at a public auction under this section, notice of the time and place of the auction must be exhibited at the local government's public office for at least 2 days before the date of the auction.
- {4} An amount realised on sale of an impounded animal must be applied:
 - (a) first, towards the costs of the sale;
 - (b) second, towards the cost-recovery fee for impounding; and
 - (c) third, in payment of the remainder to the former owner of the animal, unless the owner had surrendered the animal to the local government.
- {5} If no person establishes a valid claim to the amount to which the former owner is entitled under subsection (4)(c) by the date the animal is sold or otherwise disposed of under subsection (1), the amount becomes the property of the local government.
- {6} If an animal that is offered for sale by public auction or tender is not sold through the auction or tender process, the local government may dispose of the animal as it considers appropriate.

Examples:

- *The local government may give the animal away.*
- *The local government may have the animal destroyed.*

Division 6 Miscellaneous

5248 Register of impounded animals

- {1} The local government must ensure that a proper record of impounded animals (the register of impounded animals) is kept.
- {2} The register of impounded animals must contain the following information about each impounded animal:
 - (a) the species, breed and sex of the animal;
 - (b) the brand, colour, distinguishing markings and features of the animal;
 - (c) if applicable, the registration number of the animal;
 - (d) if known, the name and address of the responsible person;
 - (e) the date and time of seizure and impounding;
 - (f) the name of the authorised person who impounded the animal;
 - (g) the reason for the impounding;
 - (h) a note of any order made by an authorised person relating to the animal; and
 - (i) the date and details of whether the animal was sold, released, destroyed or disposed of in some other way.

- (3) The register of impounded animals must be kept available for public inspection at the local government's public offices.

5349 Access to impounded animal

- (1) This section applies to an animal impounded under section [4238](#).
- (2) The local government must allow the owner of the animal to inspect it at a reasonable time, from time to time, following the making of an appointment with the pound officer.
- (3) Subsection (2) does not apply if it is impracticable or would be unreasonable to allow the inspection.
- (4) The inspection must be provided free of charge.

5450 Unlawful removal of seized or impounded animal

- (1) A person must not, without the authority of an authorised person, remove or attempt to remove:
 - (a) a seized animal from the custody or control of an authorised person; or
 - (b) an impounded animal from the local government's facility for keeping impounded animals.

Maximum penalty ~~for subsection (1)~~—50 penalty units.

- (2) Any costs arising from damage or loss caused by a person contravening subsection (1) are recoverable by the local government as a debt.

Part 5 Appeals against destruction orders

5551 Who may appeal

An owner or responsible person for an animal the subject of a destruction order may appeal to the Magistrates Court against the decision to make the destruction order.

5652 Starting appeal

- (1) An appeal must not be started unless a review of the decision to make the destruction order has been finally decided or otherwise ended.
- (2) An appeal is started by:
 - (a) filing a notice of appeal with the Magistrates Court;
 - (b) serving a copy of the notice of appeal on the local government; and
 - (c) complying with [the](#) rules of [the](#) court applicable to the appeal.
- (3) The notice of appeal [under subsection \(2\)](#) must be filed [and served on the local government](#) within 14 days after the [appellant owner or responsible person for an animal](#) is given notice by the local government about the finalisation of the review of the decision to make a destruction order.
- (4) The court may, at any time, extend the time for filing the notice of appeal.

- {5} The notice of appeal must state fully the grounds of the appeal and the facts relied on.

5753 Hearing procedures

- {1} In deciding an appeal, the Magistrates Court:
- (a) has the same powers as the local government;
 - (b) is not bound by the rules of evidence; and
 - (c) must comply with natural justice.
- {2} An appeal is by way of rehearing, unaffected by the decision appealed against.

5854 Court's powers on appeal

- {1} In deciding an appeal, the Magistrates Court may:
- (a) confirm the decision appealed against;
 - (b) set aside the decision and substitute another decision; or
 - (c) set aside the decision and return the matter to the local government with directions the court considers appropriate.
- {2} If the court substitutes another decision, the substituted decision is, for the purposes of this local law, other than this part, taken to be the decision of the local government.
- {3} An order for the costs of an appeal may only be made against the local government if the court is satisfied that the animal was unlawfully seized or there was no reasonable basis for making the decision subject to the appeal.

5955 Appeal to District Court

- {1} An appeal lies to a District Court from a decision of the Magistrates Court, but only on a question of law.
- {2} An appeal must be commenced, [by filing and serving a notice of appeal on the respondent](#), within 14 days of the date ~~of~~ the Magistrates Court decision.

6056 Stay of destruction order

~~If an appeal is started Within 1 hour of serving of a notice of appeal to either the Magistrates Court or District Court on the local government,~~ the destruction order is stayed until the [earlier of the following](#):

- [\(a\) the court decides the appeal.](#)
- [\(b\) the applicant in the appeal withdraws the appeal; or](#)
- [\(c\) the applicant and the local government agree in writing to discontinue the appeal.](#)

Part 6 Miscellaneous

6157 Application of this local law

- {1} This local law does not apply to dogs owned by the Queensland Police Service or a dog owned by an employee, contractor or agent of the Queensland Police Service which is used for the purposes of, or in connection with, their work employment with-at the Queensland Police Service.

6258 Sale of animals

- {1} Persons who offer for sale an animal of a species or breed mentioned in Column 1 of Schedule 75 of *Subordinate Local Law No. 2 (Animal Management) 20156* in circumstances described in Column 2 of Schedule 75, must comply with the conditions set out in Column 3 of Schedule 75.
- {2} Conditions specified under subsection (1) are in addition to requirements of the *Animal Management (Cats and Dogs) Act 2008* in relation to the supply of cats and dogs.
- {3} A person described in Column 2 of Schedule 75 must not offer or display animals for sale unless the person complies with conditions specified under subsection (1).
- Maximum penalty ~~for subsection (3)~~—50 penalty units.
- {4} A person other than a person described in Column 2 of Schedule 75 must not offer or display animals for sale.
- Maximum penalty ~~for subsection (4)~~—50 penalty units.

6359 Recognised associations

The local government recognises the expertise of the associations listed in Column 1 of Schedule 68 of *Subordinate Local Law No. 2 (Animal Management) 20156* with respect to the management and breeding of particular species and breeds of animals that are identified in Column 2 of Schedule 86.

6460 Subordinate local laws

The local government may make subordinate local laws about:

- (a) the circumstances in which the keeping of animals is prohibited;
- (b) the circumstances in which keeping of animals requires a permit;
- (c) the circumstances in which desexing of an animal is required;
- (d) specific standards for keeping animals of a particular species or breed;
- (e) breeding of animals that is not prohibited;
- ~~(f) the exclusion of animals, or animals of a specified species, from public places;~~
- ~~(g)~~(f) the exclusion of animals of a particular species from application of this local law;

~~(h)~~(g) the organization or a local government that operates a place of care for impounded animals;

~~(i)~~ — ~~designated dog off-leash areas;~~

~~(j)~~(h) other local governments or organisations able to accept impounded animals;

~~(k)~~(i) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale;

~~(l)~~(j) the declaration of a species of animal as a declared dangerous animal;
or

~~(m)~~(k) recognized associations for particular breeds or species of animals.

CERTIFICATION

~~This and the preceding 29 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 2 (Animal Management) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabule
Chief Executive Officer
Cairns Regional Council~~



**Cairns Regional Council
Subordinate Local Law No. 2 (Animal Management) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council

Subordinate Local Law No. 2 (Animal Management) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved.....	1
3 Authorising local law	1
Schedule 1 - Prohibition on keeping animals	2
Schedule 2 – Keeping of animals that requires a permit.	4
Schedule 3 – Specific standards for keeping particular animals	6
Schedule 4 – Prohibition on breeding animals	10
Schedule 5 – Prohibition of Animals in Public Places	11
Schedule 6 - Dog off-leash areas.....	41
Schedule 7 - Conditions for sale of animals	93
Schedule 8 – Recognised Associations	95
Schedule 9 – Local governments or organisations able to accept impounded animals	96

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No.2 (Animal Management) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.2 (Animal Management) 2016*, which provides for regulation of the keeping of and control of animals within the local government area.
- (2) The purpose is to be achieved by providing for schedules referred to in the local law of:
 - ~~(a)~~ the circumstances in which the keeping of animals is prohibited;
 - ~~(b)~~ the circumstances in which keeping of animals requires a permit;
 - ~~(c)~~ the exclusion of animals, or animals of a specified species, from public places;
 - ~~(d)~~ designated dog off-leash areas;
 - ~~(e)(i)~~ the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale;
 - ~~(f)(a)~~ the declaration of a species of animal as a declared dangerous animal;
 - ~~(g)(a)~~ the circumstances in which desexing of an animal is required;
 - ~~(h)(a)~~ specific standards for keeping animals of a particular species or breed;
 - ~~(i)(a)~~ organisations or local governments that operate a place of care for impounded animals;
 - ~~(j)(a)~~ the circumstances in which it is not prohibited to breed animals; and
 - ~~(k)(a)~~ associations recognized by the local government as having expertise with respect to the management and breeding of particular animals.

3 Authorising local law

- (1) The making of the schedules in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2016* (the **authorising local law**).
- (2) At the head of each Schedule there is a reference to the relevant authorising local law section.

Schedule 1 – Prohibition on keeping animals

Section 4 Local Law No.2 (Animal Management) 2016

Column 1 Species or breed of animals	Column 2 Circumstances in which keeping of animal or animals is prohibited
Roosters	On any premises less than 10,000m ²
Poultry	On any premises less than 450m ²
Noisy Birds	On any premises less than 800m ²
Special Birds	On any premises less than 20,000m ²
Cats	On any premises located in a conservation planning area
Dogs	On any premises used for sport and recreation purposes, unless with the written authorisation of the local government More than one (1) dog on any premises located in a Conservation planning area
Goats & Sheep	On any premises less than 2,000m ² More than two (2) goats on an premises 2,000m ² to 3,999m ² More than four (4) goats on an premises 4,000m ² to 10,000m ²
Domesticated Pigs	On any premises less than 10,000m ² On any premises located in a conservation planning area
Rams	On any premises less than 10,000m ²
Bulls, Horses, Donkeys, Cows, and other animals of similar size	On any premises less than 2,000m ²
Stallion	On any premises less than 10,000m ²
Racing pigeons	On any premises less than 600m ² More than 100 on any premises 600m ² to 799m ² More than 200 on any premises 800m ² and above

Column 1 Species or breed of animals	Column 2 Circumstances in which keeping of animal or animals is prohibited
Poultry, Roosters, Noisy Birds, Special Birds, Goats, Sheep, Pigs, Rams, Bulls, Stallion, Donkeys, Cows (and all other animals of similar size), Racing Pigeons	In any dwelling unit in a multiple dwelling or dual occupancy premises
All animals	<p><u>Unless otherwise provided for in this Schedule 1 table, in a conservation planning area under the planning scheme;</u></p> <p>On land that is in a zone/planning area under the planning scheme of the local government that is designated for a range of organised activities that includes, cultural and educational activities, that may also occur inside or outside of a structure such as clubhouses or gymnasiums.</p>

Note: The application of Schedule 1 (Prohibition on Keeping of Animals) does not apply to premises where a development permit pertains to the use of land for animal husbandry or animal keeping.

Schedule 2 – Keeping of animals that requires a permit

Section 56 Local Law No.2 (Animal Management) 2016

Column 1 Species or breed of animals	Column 2 Circumstances in which keeping of animals requires a permit
Poultry	More than 6 poultry on any premises 450m ² to 799m ² More than 9 poultry on any premises 800m ² to 1,999m ² More than 12 poultry on any premises 2,000m ² to 10,000m ²
Birds	More than 2 birds in a single dwelling which is part of a multiple dwelling or dual occupancy premises; More than 10 birds on any premises less than 800m ² More than 30 birds on any premises 800m ² to 4,500m ²
Noisy Bird	More than 1 noisy bird on any premises 800m ² to 10,000m ²
Cats	More than 2 cats in a single dwelling which is part of a multiple dwelling or dual occupancy premises; More than 2 cats on any premises
Dogs	More than 1 dog on a multiple dwelling or dual occupancy premises; More than 1 dog on any premises less than 450m ² More than 2 dogs on any premises 450m ² and above
Goats	More than 2 goats on any premises 2,000m ² to 3,999m ² More than 4 goats on any premises 4,000 m ² to 10,000 m ²
Sheep	More than 4 sheep on any premises 2,000m ² to 10,000m ²
Domesticated Pigs	More than 4 pigs on any premises 10,000m ² and above
Bulls, Horses, Donkeys, Cows, and other animals of similar size	More than 1 on any premises 2,000m ² to 10,000m ²
Racing pigeons	1 to 100 birds on any premises 600m ² to 799m ² ; 101 to 200 birds on any premises 800m ² and above; More than 200 birds in accordance with the conditions of a planning approval under the Planning Act.

Stallion	On any premises 10,000m ² and above.
Any animal	On any premises used for educational, sporting or recreational purposes

Schedule 3 – Specific standards for keeping particular animals

Section 1042 Local Law No.2 (Animal Management) 2016

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
Cat	<p><u>(1)</u> Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; <u>and</u>:-</p> <p>(1)<u>(2)</u> <u>Ensure the cat is implanted with an approved PPID in compliance with section 14 of the <i>Animal Management (Cats and Dogs) Act 2008.</i></u></p>
Dog (other than a greyhound)	<p><u>(1)</u> <u>Ensure the dog is implanted with an approved PPID in compliance with section 14 of the <i>Animal Management (Cats and Dogs) Act 2008;</i></u></p> <p>(1)<u>(2)</u> Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; <u>and</u></p> <p>(2)—Each owner of, and responsible person for, 1 or more dogs kept on premises must ensure that:-</p> <p>(3) <u>(3)</u> <u>all dog accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person.</u></p>
Greyhound	<p><u>(1)</u> <u>Ensure the animal is implanted with an approved PPID in compliance with section 14 of the <i>Animal Management (Cats and Dogs) Act 2008;</i></u></p> <p>(1)<u>(2)</u> Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable;</p> <p>(2)<u>(3)</u> Each owner of, and responsible person for, a greyhound must, when the dog is outside the premises on which the dog is normally kept, be:</p> <p>(a) under the effective control of a person aged 16 or over who has control of not more than 2 greyhounds at any 1 time; and</p> <p>(b) kept muzzled so as to prevent the dog from biting unless it is a decommissioned greyhound; <u>and</u></p> <p>(3)<u>(4)</u> Each owner of, and responsible person for, a greyhound must ensure that the dog is kept:</p> <p>(a) without nuisance; and</p> <p>(b) if a code of practice for the keeping of greyhounds has been approved by the Greyhound Racing Authority of</p>

	Queensland, in accordance with the requirements of the code of practice.
Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
Poultry	<p>(1) Poultry food must be stored in a sealed vermin proof receptacle;</p> <p>(2) The enclosure in which the birds are kept must be constructed so as to prevent the bird from wandering off, or flying away from, the premises; and</p> <p>(3) Fowl houses, fowl pens and runs are not to be situated:</p> <p>(a) within a radius of 10 meters of a dwelling on adjoining premises or a place where food is kept, processed or stored; or</p> <p>(b) within 2 meters of any property boundary or road, whichever is the greater.</p>
Domesticated Pig	<p>(1) Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and</p> <p>(2) Each owner of, and responsible person for, a pig which is kept on premises must ensure that the enclosure in which the pig is kept is not located within:</p> <p>(a) 15 meters of a residence on adjoining premises; or</p> <p>(b) 15 meters of a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the pig.</p>

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
Racing pigeons	<p>(1) Must be confined to their home loft after their designated race or exercise period;</p> <p>(2) Must be kept in compliance with the Queensland Racing Pigeon Federation Incorporated or affiliate club Code of Conduct; and</p> <p>(3) Each owner of, and responsible person for, a bird specified in Column 1, must ensure that:</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; (b) the bird is contained within an enclosed cage or aviary; (c) the bird's food is kept in a properly sealed, vermin proof container; (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; (e) the bird is kept in accordance with the requirements of the code of practice of FNQ bird breeders club; (f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and (g) the enclosure in which the bird is kept is set back a minimum of 2m from each boundary of the premises.
Budgerigar, canary and other birds of a similar size and cockatiel and other birds of a similar size and cockatoo, galah and other birds of a similar size.	<p>(1) Each owner of, and responsible person for, a bird specified in Column 1, must ensure that:</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; (b) the bird is contained within an enclosed cage or aviary; (c) the bird's food is kept in a properly sealed, vermin proof container; (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; (e) the bird is kept in accordance with the requirements of the code of practice of FNQ bird breeders club; (f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and (g) the enclosure in which the bird is kept is set back a minimum of 2m from each boundary of the premises.

Column 1 Species or breed of animal	Column 2 Specific standards for keeping animal
<p>Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat, alpaca, llama and other animals of a similar size</p>	<p>(1) Ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable;</p> <p>(2) Each owner of, and responsible person for, an animal specified in Column 1, item 3 which is kept at a stable on premises must ensure that:</p> <ul style="list-style-type: none"> (a) the stable is not located within a 10-metre radius of: <ul style="list-style-type: none"> (i) a residence on adjoining premises; or (ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal. (b) the stable is set back a minimum of 2-meters from each boundary of the premises; (c) the stable is located a minimum of 20-meters from any watercourse, well or bore; (d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every six week period; (e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily; (f) the construction of the stable complies with the requirements of any applicable approval or code; and (g) the stable is maintained in good condition and repair; and- <p>(3) Each owner of, and responsible person for, an animal which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.</p>

Schedule 4 – Prohibition on breeding animals

Section [1416](#) Local Law No.2 (Animal Management) 2016

Column 1 Species or breed of animal	Column 2 Circumstances where it is not prohibited to breed animals
Dogs	On any premises where they are pets of an occupier of a premises that have a litter not more than once every 3 calendar years
Cats	On any premises where they are pets of an occupier of a premises that have a litter not more than once every 3 calendar years
Birds	On any premises 2,000m ² and above
Special Birds	On any premises 20,000m ² and above
Noisy Birds	On any premises 10,000m ² and above
Racing pigeons	On any premises 800m ² and above
Donkeys, Domesticated Pigs, Horses, Cattle and animals of a similar size	On any premises 10,000m ² and above
Poultry	On any premises 2,000m ² and above
Sheep, Goats, or any animal of a similar size	On any premises 10,000m ² and above
Any animal	Where the person breeding the animal is a licenced breeder from a recognised association for that animal
Any animal	Where the person breeding the animal has a current planning scheme approval or existing use right for the use of animal keeping
Any animal	Any animal not dealt with in Column 1 of Schedule 4

Schedule 5 – Prohibition of Animals in Public Places

Section 29 Local Law No.2 (Animal Management) 2016

Map No	Column 1 Public Place	Column 2 Species or Breed of Animals Prohibited
-	Within 2 meters of all local government playgrounds	Dogs
-	Within 2 meters of all local government BBQ areas	Dogs
-	All local government public conveniences	Dogs

Map No	Column 1 Public place	Column 2 Species or breed of animals prohibited
1	BABINDA BOULDERS SWIMMING AREA Boulders Road, Babinda Lot 1 on RP746361 Lot 187 on NR800965	Dogs Cats Horses Cattle Goats Donkeys Camels Sheep
2	BABINDA CEMETERY RESERVES Bruce Highway, Babinda Lot 231 on NR1159 Lot 10 on RP835555	Dogs Cats Horses Cattle Goats Donkeys Camels Sheep
3	CAIRNS PIONEER CEMETERY RESERVE 127-145 McLeod Street, Cairns North Lot 813 on C1987	Dogs Cats Horses Cattle Goats Donkeys Camels Sheep

Map No	Column-1 Public place	Column-2 Species or breed of animals prohibited
4	<p>CATTANA WETLANDS, SMITHFIELD</p> <p>Dunne Road and Cattana Road, Smithfield</p> <p>Lot 609 on NR4956</p> <p>Lot 86 on NR 5022</p> <p>Lot 611 on NR 4956</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
5	<p>CENTENARY LAKES, EDGE HILL</p> <p>Freshwater Lakes – Lot 401 on SP201236</p> <p>13-79 Collins Avenue, Edge Hill</p> <p>Saltwater Lakes – 387 McLeod Street, Edge Hill</p> <p>Lot 615 on SP201236</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
6	<p>CENTRAL ANIMAL PROHIBITION AREA</p> <p>Means the whole of the Central Animal Prohibition Area bounded by Aplin Street from the Esplanade to McLeod Street, McLeod Street from Aplin Street to Spence Street, Spence Street from McLeod Street to Sheridan Street, Sheridan Street from Spence Street to Wharf Street, Wharf Street from Sheridan Street to the Esplanade and the Esplanade from Wharf Street to Aplin Street, (but excludes the north eastern footpath adjacent to the Esplanade road between Aplin Street and Spence Street), the area from Aplin Street along the walkway to Spence Street, Pier Point Road, Pier Point Road to the sea wall, along the sea wall to a point opposite the Northern boundary of Aplin Street and includes street frontages on both side of all of the relevant streets.</p>	<p>Dogs</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
7	<p>COASTWATCHERS PARK, TRINITY BEACH</p> <p>51-79 Trinity Beach Road, Trinity Beach</p> <p>Lot 363 on RP729082</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>

Map No	Column-1 Public place	Column-2 Species or breed of animals prohibited
8	<p>CRYSTAL CASCADES PARK AND LAKE MORRIS</p> <p>Lake Morris Rd, Lamb Range Lot 50 on NR6547 and Lot 53 NR7408</p> <p>Redlynch Intake Rd, Redlynch Lot 5 on NR8032</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
9	<p>FLECKER BOTANICAL GARDENS, EDGE HILL</p> <p>78-96 Collins Avenue, Edge Hill Lot 400 on SP201236</p> <p>64-76 Collins Street, Edge Hill Lot 402 on SP201236 Lot 402 on SP241304</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
10	<p>FOREST VIEW CEMETERY RESERVE</p> <p>65-77 Foster Road, Mount Sheridan Lot 2 on RP742902</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
11	<p>GLENOMA PARK, BRINSMEAD</p> <p>Brinsmead Road, Brinsmead Lot 7 on NR4524</p>	<p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
12	<p>GOLDEN HOLE, BARTLE FRERE</p> <p>Price Road, Bartle Frere Lot 3 RP 850098</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>

Map No	Column-1 Public place	Column-2 Species or breed of animals prohibited
13	<p>GOOMBOORA PARK, BRINSMEAD</p> <p>Sections 1 and 2 of Goomboora Park, Shale Street, Brinsmead being the section on the Southern end of the park and the middle section where the pergolas are erected.</p> <p>Lot 2 on RP729485</p> <p>Lot 99 on RP729484</p>	<p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
14	<p>GORDONVALE CEMETERY RESERVE</p> <p>27-51 Highleigh Road, Gordonvale</p> <p>Lot 225 on NR838284</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
15	<p>MARTYN STREET CEMETERY RESERVE, MANUNDA</p> <p>2-40 Anderson Street, Manunda</p> <p>Lot 279 on NR7521</p> <p>Lot 115 on NR 7251</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
16	<p>MOUNT WHITFIELD CONSERVATION PARK, EDGE HILL</p> <p>Mayers Street, Edge Hill</p> <p>Lot 514 NPW 581</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
17	<p>SUGARWORLD GARDENS, EDMONTON</p> <p>Hambledon Drive, Edmonton</p> <p>Lots 503, 504 and 505 on RP886995</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>

Map No	Column-1 Public place	Column-2 Species or breed of animals prohibited
18	<p>SWIMMING ENCLOSURES</p> <p>All Stinger net enclosures and swimming areas as defined by signs and/or patrol flags set by lifeguards including Ellis Beach, Palm Cove, Clifton Beach, Kewarra Beach, Trinity Beach, Yorkeys Knob, Holloways Beach and Bramston Beach.</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>
19	<p>THE ROCKS, REDLYNCH</p> <p>Swimming and picnic area at the end of The Rocks Road, Redlynch</p> <p>Lot 1 and Lot 2 on SP196220</p>	<p>Dogs</p> <p>Cats</p> <p>Horses</p> <p>Cattle</p> <p>Goats</p> <p>Donkeys</p> <p>Camels</p> <p>Sheep</p>

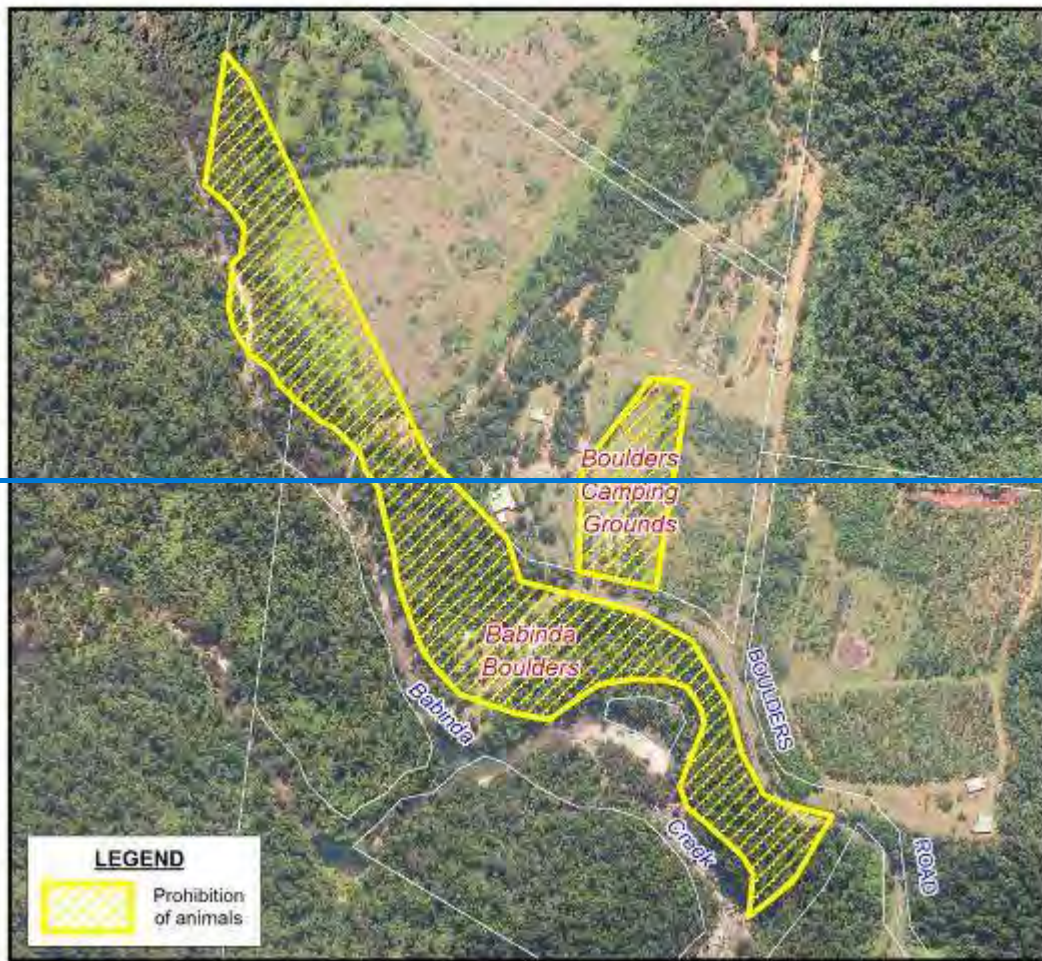
Map 1

BABINDA BOULDERS SWIMMING AREA

Boulders Road, Babinda

Lot 1 on RP746364

Lot 187 on NR800965



Map 2

BABINDA CEMETERY RESERVES

Bruce Highway, Babinda

Lot 231 on NR1159

Lot 10 on RP835555



Map-3

CAIRNS PIONEER CEMETERY RESERVE

127-145 McLeod Street, Cairns North

Lot 813 on C1987



Map 4

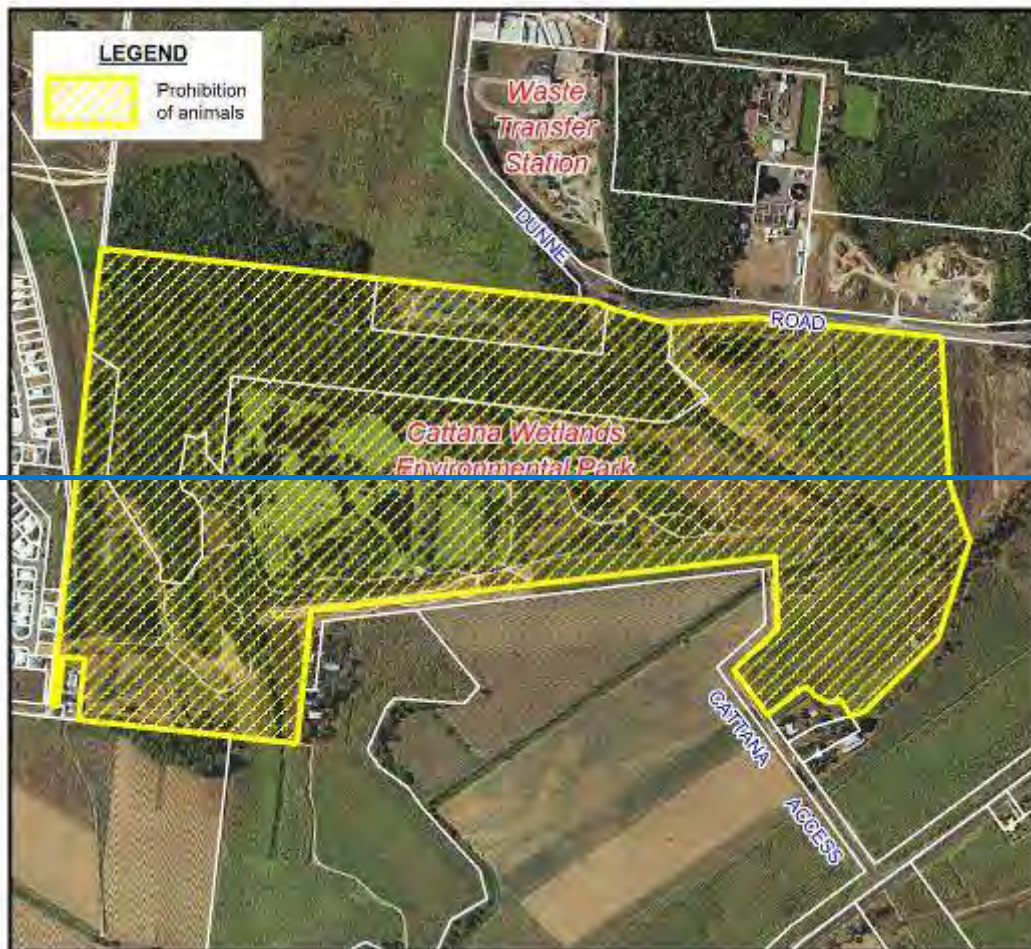
CATTANA WETLANDS, SMITHFIELD

Dunne Road and Cattana Road, Smithfield

Lot 609 on NR4956

Lot 86 on NR 5022

Lot 611 on NR 4956



Map 5

CENTENARY LAKES, EDGE HILL

Freshwater Lakes—Lot 401 on SP201236
13-79 Collins Avenue, Edge Hill

Saltwater Lakes—387 McLeod Street, Edge Hill
Lot 615 on SP201236



Map 6

CENTRAL ANIMAL PROHIBITION AREA



Map 7

COASTWATCHERS PARK, TRINITY BEACH

51-79 Trinity Beach Road, Trinity Beach

Lot 363 on RP729082

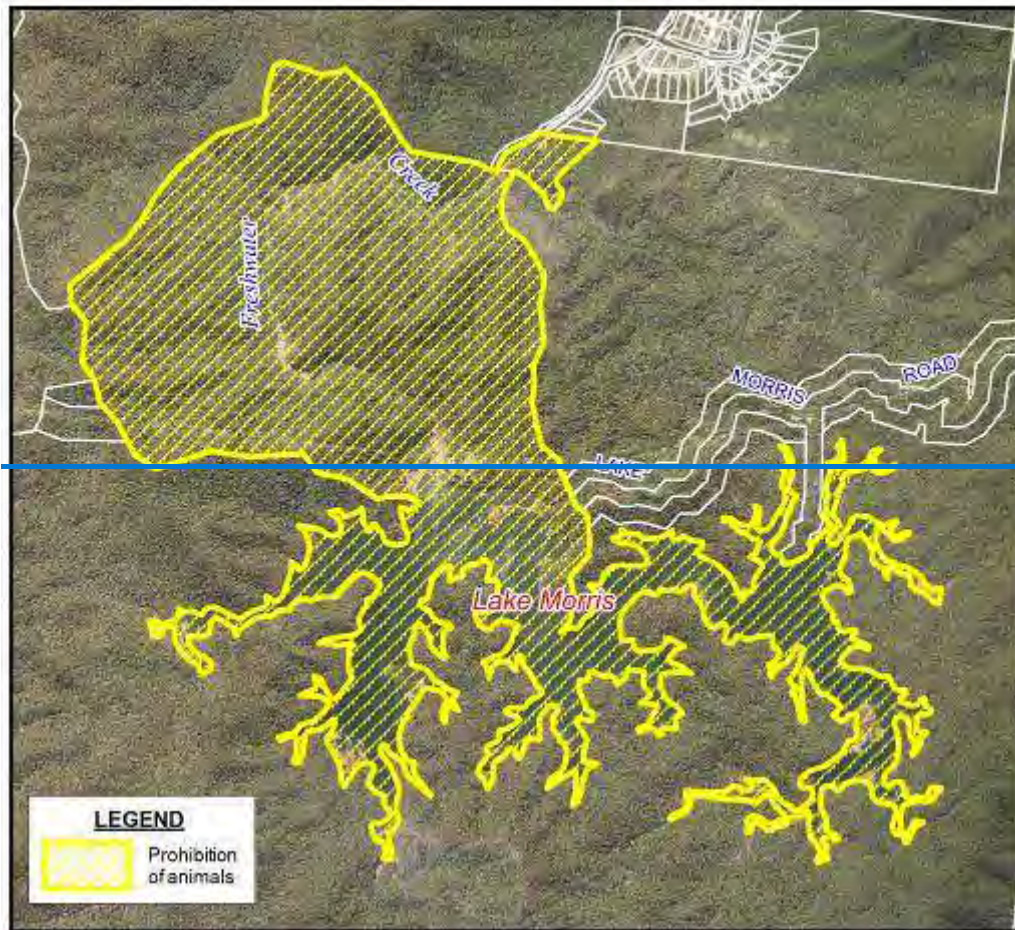


Map 8

CRYSTAL CASCADES PARK AND LAKE MORRIS

Lake Morris Rd, Lamb Range—Lot 50 on NR6547 & Lot 53 NR7408

Redlynch Intake Rd, Redlynch—Lot 5 on NR8032



Map 9

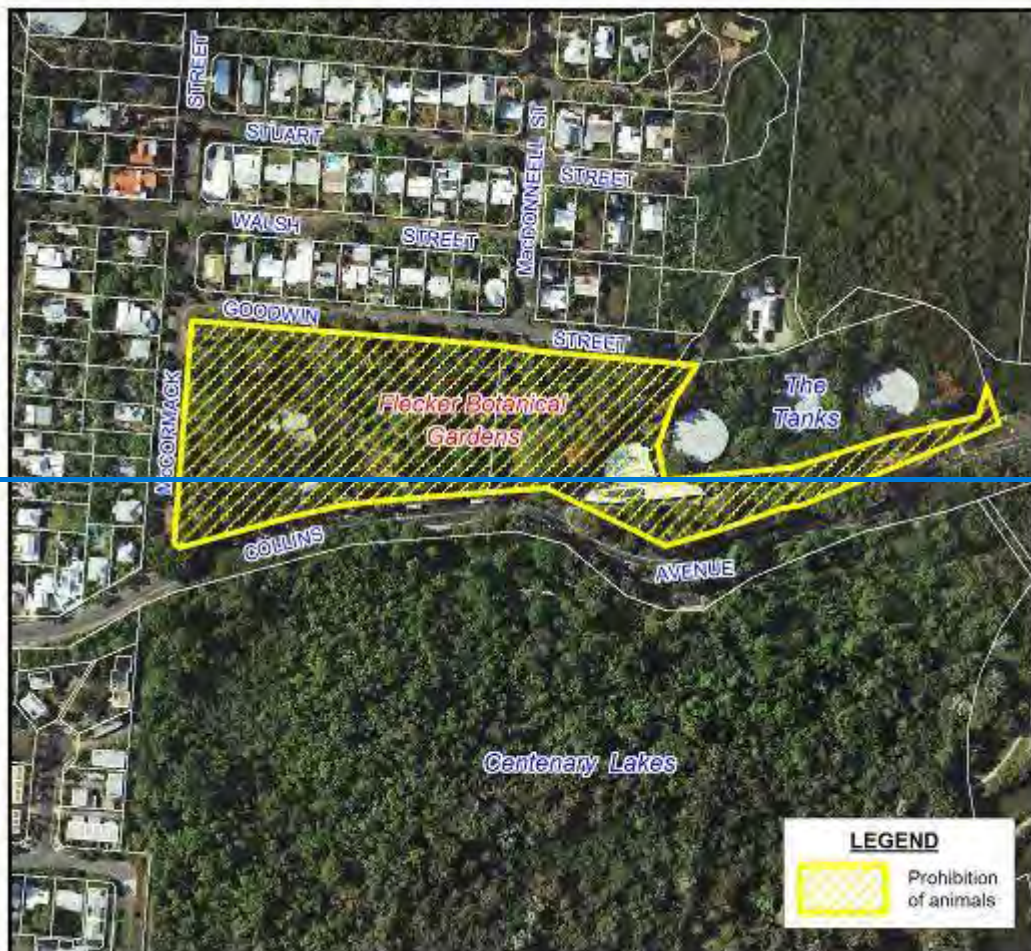
FLECKER BOTANICAL GARDENS, EDGE HILL

78-96 Collins Avenue, Edge Hill

Lot 400 on SP201236

64-76 Collins Street, Edge Hill

Lot 402 on SP201236



Map 10

FOREST VIEW CEMETERY RESERVE

65-77 Foster Road, Mount Sheridan

Lot 2 on RP742902



Map 11

GLENOMA PARK, BRINSMEAD

Brinsmead Road, Brinsmead

Lot 7 on NR4524

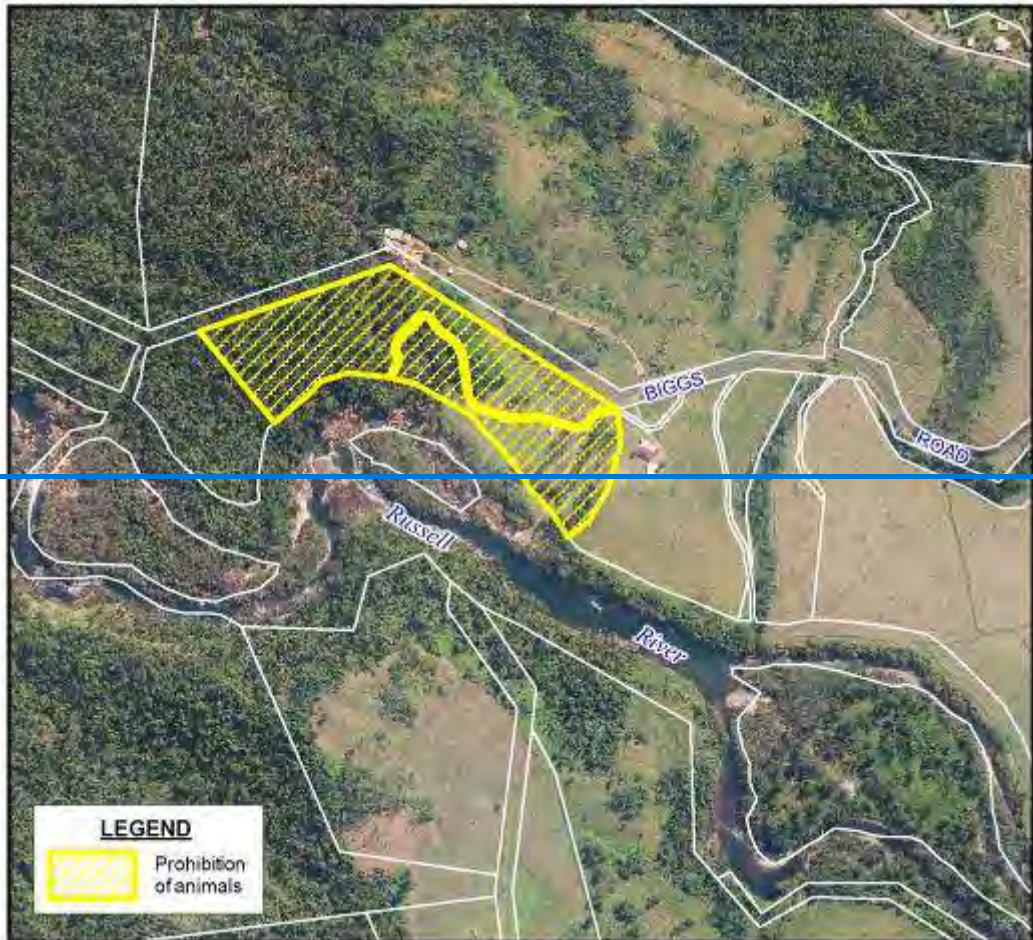


Map 12

GOLDEN HOLE, BARTLE FRERE

Price Road, Bartle Frere

Lot 3 RP 850098



Map 13

GOOMBOORA PARK

Sections 1 and 2 of Goomboora Park, Shale Street, Brinsmead being the section on the Southern end of the park and the middle section where the pergolas are erected.

Lot 2 on RP729485

Lot 99 on RP729484



Map 14

GORDONVALE CEMETERY RESERVE

27-51 Highleigh Road, Gordonvale

Lot 225 on NR838284



Map 15

MARTYN STREET CEMETERY RESERVE

2-40 Anderson Street, Manunda

Lot 279 on NR7521

Lot 115 on NR 7251



Map 16

MOUNT WHITFIELD CONSERVATION PARK

Mayers Street, Edge Hill

Lot 514 NPW 581



Map 17

SUGARWORLD GARDENS, EDMONTON

Hambledon Drive, Edmonton

Lots 503, 504 and 505 on RP886995

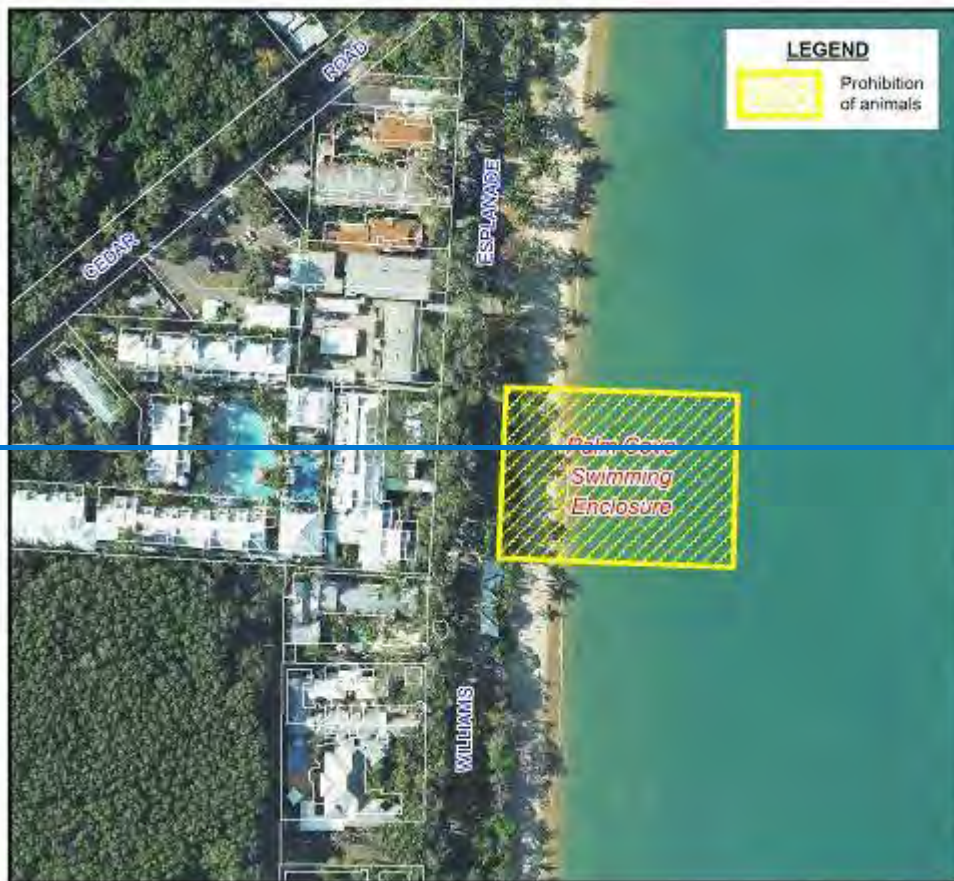


Map 18

SWIMMING ENCLOSURES

All Stinger net enclosures and swimming areas as defined by signs and/or patrol flags set by lifeguards—including Ellis Beach, Palm Cove, Clifton Beach, Kewarra Beach, Trinity Beach, Yorkeys Knob, Holloways Beach and Bramston Beach.













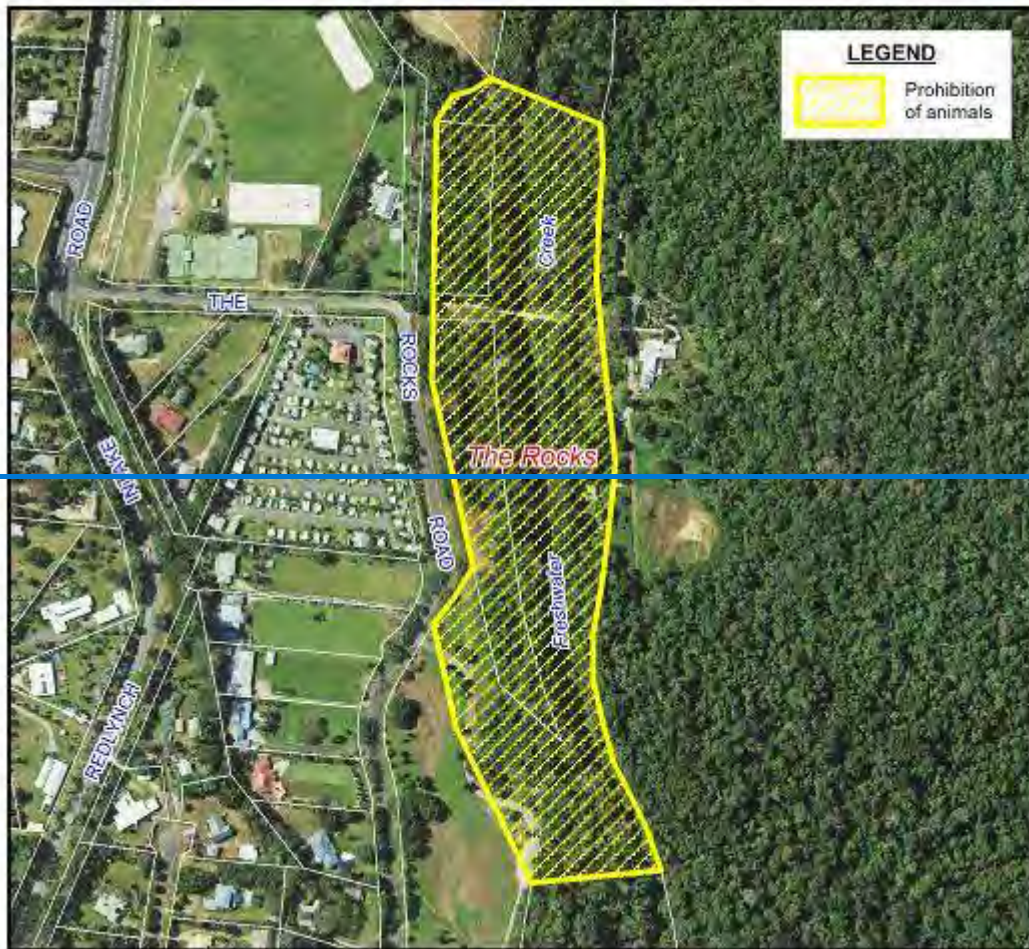


Map 19

THE ROCKS, REDLYNCH

Swimming and picnic area at the end of The Rocks Road, Redlynch

Lot 1 and Lot 2 on SP196220



Schedule 6 – Dog off-leash areas

Section 30 Local Law No.2 (Animal Management) 2016

Column 1 Map Number	Column 2 Area description	Column 3 Address and Property Description
1	AEROGLEN: Part of the southern end of Touch Park between the southern boundary of the sporting fields and the southern side of the park between Aeroglen Drive and the mangrove lined creek to the west.	Part of Lot 82 on C198327 Aeroglen Drive, Aeroglen Part of Lot 496 on C198327 19-25 Quarry Street, Aeroglen.
2	AEROGLEN: Paterson Park on the northern side of Greenbank Road and the western side of Arnold Street.	Lot 308 on SP171849 78-80 Greenbank Road, Aeroglen
3	BABINDA: Northern part of Carl Mellick Park located at the western end of Harwood Drive.	Lot 37 on RP846519 L37 Harwood Drive, Babinda
4	BAYVIEW HEIGHTS: Part of Arthur Forno Park, being at the western end near the Vista Street entrance to the park and behind houses in Vista Street, Fiesta Close and Flamenco Close.	Lot 98 on RP728481 27 Fairview Street, Bayview Heights
5	BAYVIEW HEIGHTS: Ben Wilson Park and part of adjacent drainage reserve. Corner of Anderson Road and Fairview Streets.	Lot 99 on RP728482 2 Fairview Street, Bayview Heights Part Lot 1 RP 819030 148-158 Anderson Rd, Bayview Heights
6	BRAMSTON BEACH: The area of beach commencing 100 metres south of the stinger net and extending to the southern end of the beach.	Beach Esplanade
7	BRAMSTON BEACH: The area of beach commencing at the northern end of the caravan park and extending northward.	Beach Esplanade
8	BRINSMEAD: The area to the north of the central internal access in Goomboora park.	Lot 2 RP 729485 Shale Street, Brinsmead
9	BUCHANS POINT: From the rocks at the southern end of the beach to the first car park to the north.	Beach Esplanade
10	BUNGALOW: Part of Little Barlow Park	Lot 20 RP 706600

Column 1 Map Number	Column 2 Area description	Column 3 Address and Property Description
		43-49 Scott Street, Bungalow
11	CARAVONICA: Portion of parkland off Impey Street, Caravonica, being the raised section at the northern end.	Lot 199 on RP743155 70 Impey Street, Caravonica
12	CLIFTON BEACH: Part of parkland in Eddy Street, Clifton Beach between Eddy Street and the rear of houses in Escape Close for a distance of 50 metres from houses in Eddy Street and east towards Saxon Street.	Lot 210 on NR 6922 15 Saxon Street, Clifton Beach Lot 59 on RP748462 159 Saxon Street, Clifton Beach
13	CLIFTON BEACH: The area of beach from the northern end of Upolu Esplanade north towards Palm Cove and finishing 150 metres south of Veivers Road, Palm Cove.	Beach Esplanade
14	CLIFTON BEACH: The southern end of Clifton Beach between the southern end of Arlington Esplanade and to the north of Kewarra Street, Kewarra Beach.	Beach Esplanade
15	CLIFTON BEACH: Whole of Evergreen Park on the southern side of Evergreen Road and Western Side of Captain Cook Highway.	Lot 216 on NR7040 1216 Captain Cook Hwy, Clifton Beach Lot 192 on NR6794 1-3 Evergreen Road, Clifton Beach
16	EARLVILLE: Part of Lions Park at Henley Street, Earlville from the dividing posts on the western side to the toilet block, west to the dividing posts at the tennis club end.	Lot 1 on RP 731489 534 Mulgrave Road, Earlville
17	EARLVILLE: Part of Henley's Hill Park covering the fenced dog exercise area to the west of De Jarlais St and to the south of the car park entry point off De Jarlais Street.	Lot 1 SP 198079, 3-9 De Jarlais St, Earlville Lot 5 RP 745313, 19-43 De Jarlais St, Earlville
18	EDMONTON: McKinnon Creek Detention Basin at Isabella Estate.	Lot 985 on RP906385 Accatino Close, Edmonton Lot 500 on RP887878 Canecutter Road, Edmonton
19	EDMONTON: Part of Carne Park, Trojan Street, Edmonton being on the eastern	Lot 1 on RP728640 Ragner Street, Edmonton

Column 1 Map Number	Column 2 Area description	Column 3 Address and Property Description
	side of the Trojan Street entrance to the edge of the creek bed.	
20	EDMONTON: Part of Fuller Park covering the south-western side of the park.	Lot 1 on RP 722073 Wolff Street, Edmonton
21	ELLIS BEACH: From rocks at the southern end of the beach for a distance of 450 metres to the north (adjacent to the car park).	Beach Esplanade
22	GORDONVALE: Part of Howard Bailey Park at the end of Klarwein Close being on the Western side of the Klarwein Street entrance and behind houses in Highleigh Road and bounded by the drain at the rear.	Lot 77 on NR7679 19-23 Klarwein Close Gordonvale
23	HOLLOWAYS BEACH: Beach at the northern end of Holloways Beach fronting Casuarina Street and north of Luke Street.	Beach Esplanade
24	HOLLOWAYS BEACH: The southern end of Holloways Beach between Tamarind Street and Magnolia Street.	Beach Esplanade
25	KEWARRA BEACH: The area of beach commencing 100 metres south of the stinger net and continuing to the rocks at Taylor Point.	Beach Esplanade
26	MACHANS BEACH: Southern end of Machans Beach south of Cinderella Street to the Barron River.	Beach Esplanade
27	MANUNDA: Part of Lennon Street Park being the area between McCormack Street and drain.	Lot 1 on RP889325 1-11 English Street, Manunda
28	MANUNDA: Parkland situated in Card Avenue, Manunda between houses in Card Avenue and behind houses in Barlow Street	Lot 49 on RP724968 17 Kiernan Street, Manunda
29	MOOROOBOOL: (Irene Street Flood Plain B) North of Langan Street, east of Irene Street, west of Carnation Drive and south of Marigold Close.	Lot 742 on NR6506 2 Carnation Drive, Moorooobool
30	MT-SHERIDAN: Sawpit Gully Detention	Lot 990 on RP905276 Melia Close, Mount Sheridan

Column 1 Map Number	Column 2 Area description	Column 3 Address and Property Description
	Basin at Forest Gardens.	
31	MT SHERIDAN: Trafalgar Detention Basin and Balmoral Close Park from the south of Trafalgar Road to the creek to the south and from Idalia Road to the property boundary to the west.	Lot 999 on 817962 9-35 Trafalgar Road, Mt Sheridan Lot 994 on RP857676 L994 Idalia Road, Mt Sheridan
32	MT SHERIDAN: The detention basin in George Cannon Drive Park south and east of Forest Gardens Boulevard, north of George Cannon Drive and west of Des Chalmers Drive.	Lot 2017 on SP 189712 George Cannon Drive, Mt Sheridan
33	NORTH CAIRNS: Parkland at the northern end of the Esplanade between Smith and Lily Streets and bounded by the mangroves to the east and the Esplanade to the west.	Lot 1 on SP201258 320-354 Lake Street, Cairns North
34	PALM COVE: The area of beach between the Palm Cove jetty and the rocks on the northern side.	Beach Esplanade
35	REDLYNCH: Portion of parkland off Harvey Road, Redlynch being at the railway line end of the parkland and behind houses in Ficus Close.	Lot 301 on NR78796 184-190 Harvey Road, Redlynch
36	SMITHFIELD: Part of Rainy Mountain Park in Cumberland Avenue covering the northern end of the park behind houses in Survey Street and the fenced dog exercise area.	Lot 195 on SP109016 18-22 Survey Street, Smithfield Lot 275 on RP 737263 26-28 Survey Street, Smithfield
37	TRINITY BEACH: The beach from the northern end of Vasey Esplanade north to the rocks.	Beach Esplanade
38	TRINITY BEACH: The beach at the southern end of Trinity Beach to the south of Peacock Street.	Beach Esplanade
39	TRINITY PARK: Half Moon Bay beach, Trinity Park to the south of the car park entrance.	Beach Esplanade

Column 1 Map Number	Column 2 Area description	Column 3 Address and Property Description
40	WESTCOURT: Closed Road Reserve Mann Street between Lyons and Brown Streets.	Road Reserve
41	WHITE ROCK: Eastern end of Sheehy Road and southern end of Hollywood Boulevard extending east to the edge of the mangroves.	Lot 27 on SP109010, Sheehy Road, White Rock Lot 68 on RP868164 Hollywood Boulevard, White Rock
42	WHITE ROCK: Part of Kahlu Park at Tiffany Street, White Rock, on the eastern side of the park, north of Phoenix Close and west to the palm trees at the rear.	Lot 300 on RP747290 L300 Tiffany Street, White Rock
43	WHITFIELD: Engineers Park on the corner of Bott and McManus Streets, Whitfield behind houses in Bott Street, Prescott Street and Neeve Close.	Lot 2 on NR7171 19-63 McManus Street, Whitfield
44	WHITFIELD: Bunny Jarrett Park on the northern side of the drainage easement and creek at the corner of McManus and Bolton Streets, Whitfield and behind houses in McManus Street and Murchison Street	Lot 145 on RP717692 181-217 McManus Street, Whitfield
45	WHITFIELD: Colin Penridge Park located to the north of Murchison Street and west of McManus Street and Hillview Crescent.	Lot 1 on RP 722565 237C McManus Street Whitfield
46	WOREE: Port of Hussey Park off Loretta Close, Woree being the eastern end of the park adjacent to Loretta Street and behind houses in Karen Close and Carmel Close.	L1 on NR7166 28-32 Anderson Road Woree
47	YORKEYS KNOB: The southern end of Yorkeys Knob beach south of the corner of Sims Esplanade and Kempton Street.	Beach Esplanade

Map 1

AEROGLEN: Part of the southern end of Touch Park between the southern boundary of the sporting fields and the southern vehicle access to the park between Aeroglen Drive and the mangrove lined creek to the west.



Map 2

AEROGLEN: Paterson Park on the northern side of Greenbank Road and the western side of Arnold Street.



Map 3

BABINDA: Northern part of Carl Mellick Park at the western end of Harwood Drive.



Map-4

BAYVIEW HEIGHTS: Part of Arthur Forno Park, being at the western end near the Vista Street entrance to the park and behind houses in Vista Street, Fiesta Close and Flamenco Close.



Map 5

BAYVIEW HEIGHTS: Ben Wilson Park and part of adjacent drainage reserve. Corner of Anderson Road and Fairview Streets.



Map 6

BRAMSTON BEACH: The area of beach commencing 100 metres south of the stinger net and extending to the southern end of the beach.



Map 7

BRAMSTON BEACH: The area of beach commencing at the northern end of the caravan park and extending northward.



Map 8

BRINSMEAD: The area to the north of the central internal access in Goomboora Park.



Map 9

~~BUCHANS POINT: From the rocks at the southern end of the beach to the first car park to the north.~~



Map 10

BUNGALOW: Part of Little Barlow Park.



Map 11

CARAVONICA: ~~Portion of parkland off Impey Street, Caravonica, being the raised section at the northern end.~~



Map 12

CLIFTON BEACH: Part of parkland in Eddy Street, Clifton Beach between Eddy Street and the rear of houses in Escape Close for a distance of 50 metres from houses in Eddy Street and east towards Saxon Street.



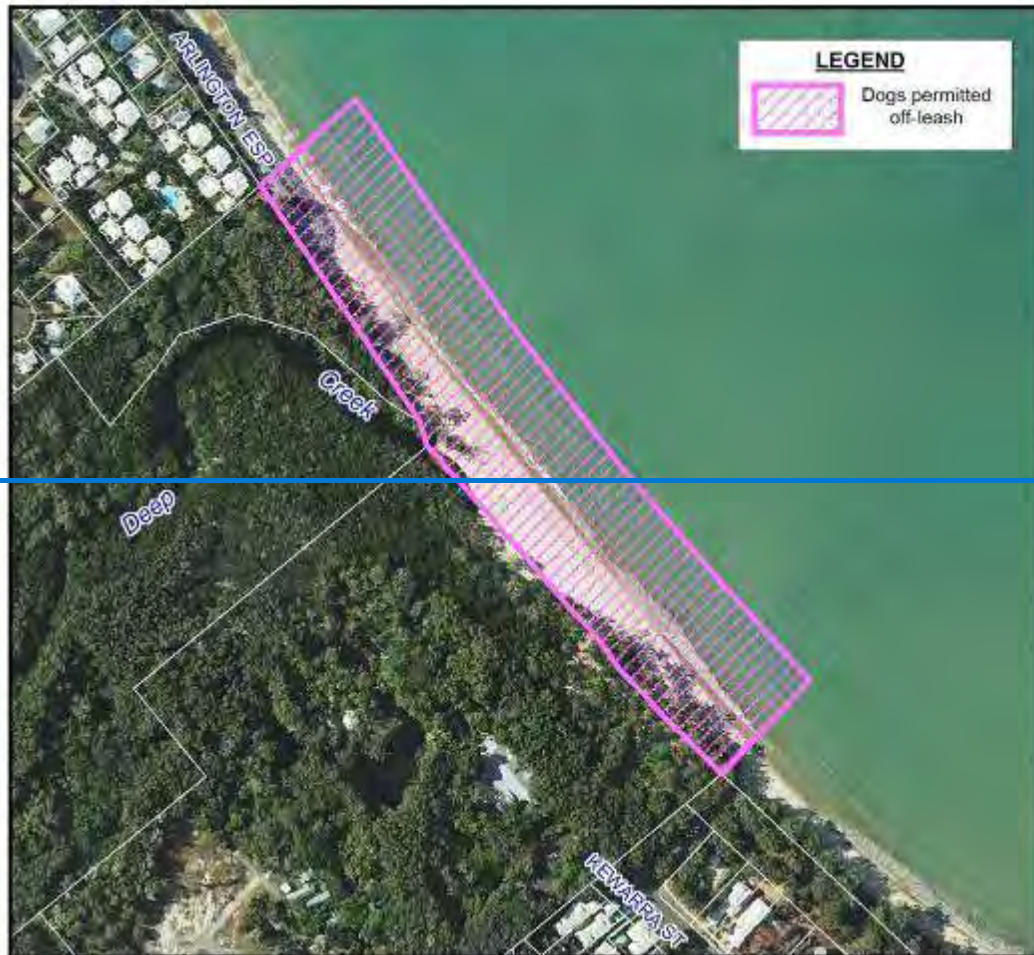
Map 13

CLIFTON BEACH: The area of beach from the northern end of Upolu Esplanade north towards Palm Cove and finishing 150 metres south of Veivers Road, Palm Cove.



Map 14

~~CLIFTON BEACH: The southern end of Clifton Beach between the southern end of Arlington Esplanade and to the north of Kewarra Street, Kewarra Beach.~~



Map 15

CLIFTON BEACH: Whole of Evergreen Park on the southern side of Evergreen Road and Western Side of Captain Cook Highway.



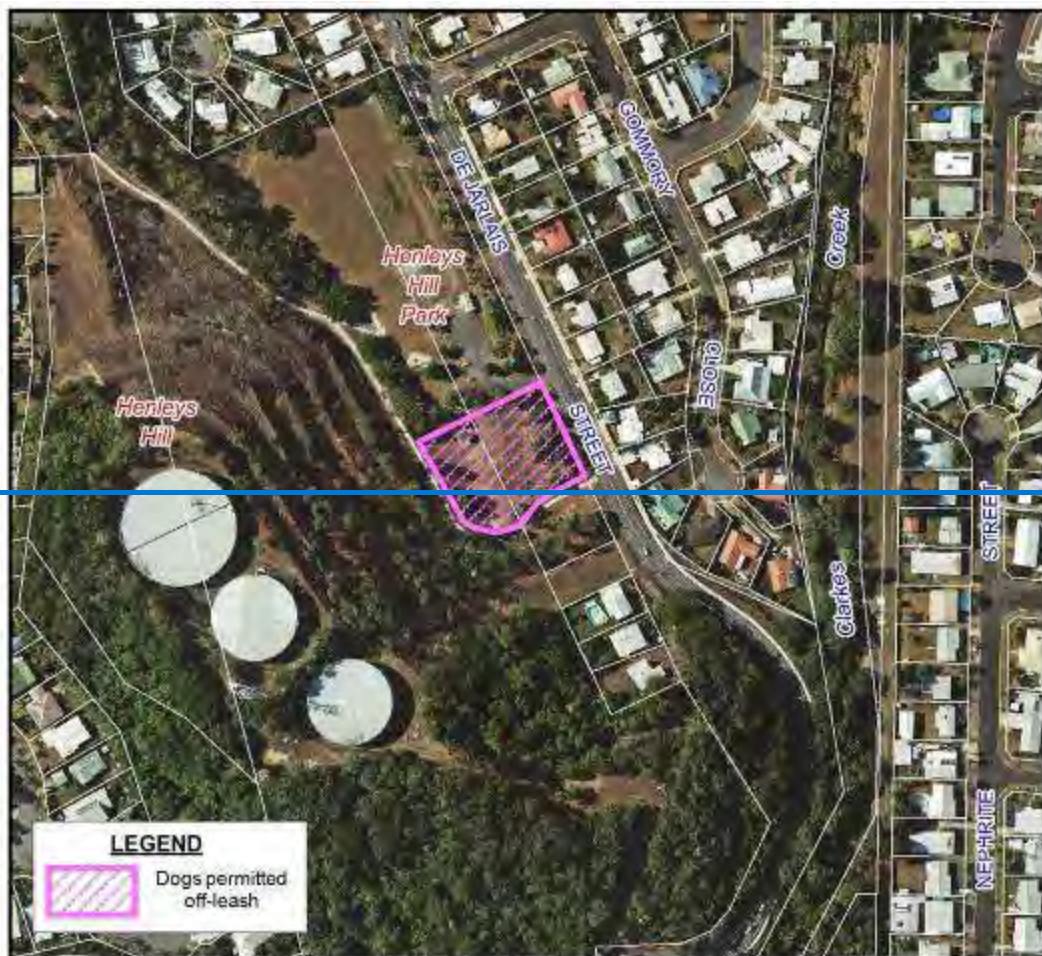
Map 16

EARLVILLE: Part of Lions Park at Henley Street, Earlvile from the dividing posts on the eastern side to the toilet block and west to the dividing posts at the tennis club end.



Map 17

EARLVILLE: Part of Henley's Hill Park covering the fenced dog exercise area to the west of De Jarlais St and to the south of the car park entry point off De Jarlais St.



Map 18

EDMONTON: McKinnon Creek Detention Basin at Isabella Estate.



Map 19

EDMONTON: Part of Carne Park, Trojan Street, Edmonton being on the eastern side of the Trojan Street entrance to the edge of the creek bed.



Map 20

EDMONTON: Part of Fuller Park, Wolff Street, Edmonton covering the south-western side of the park.



Map 21

ELLIS BEACH: From rocks at the southern end of the beach for a distance of 450m metres to the north (adjacent to the car park).



Map 22

GORDONVALE: Part of Howard Bailey Park at the end of Klarwein Close being on the western side of the Klarwein Street entrance and behind houses in Highleigh Road and bounded by the drain at the rear.



Map 23

~~HOLLOWAYS BEACH: Beach at the northern end of Holloways Beach fronting Casuarina Street and north of Luke Street.~~



Map 24

~~HOLLOWAYS BEACH: The southern end of Holloways Beach between Tamarind Street and Magnolia Street.~~



Map 25

KEWARRA BEACH: The area of beach commencing 100 metres south of the stinger net and continuing to the rocks at Taylor Point.



Map 26

~~MACHANS BEACH: Southern end of Machans Beach south of Cinderella Street to the Barron River.~~



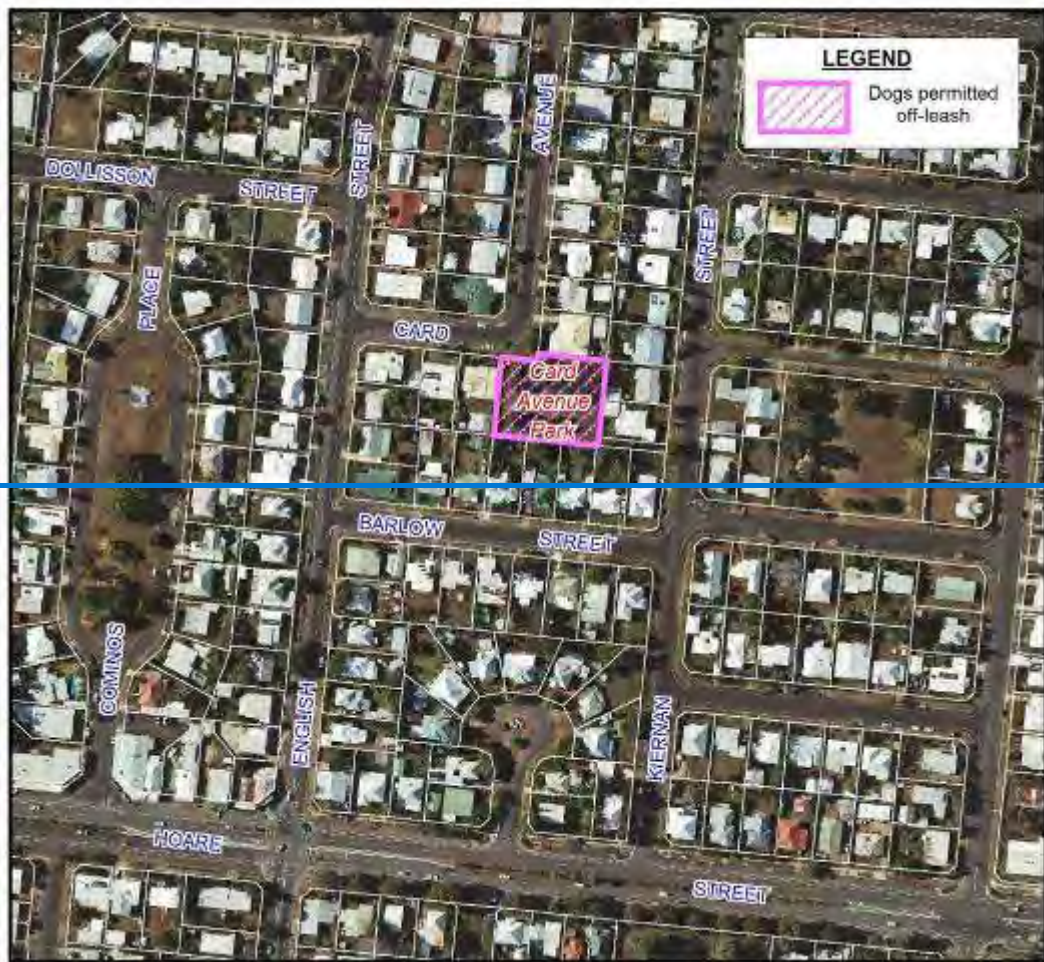
Map 27

~~MANUNDA: Part of Lennon Street Park being the area between McCormack Street and drain.~~



Map 28

MANUNDA: Parkland situated in Card Avenue, Manunda between houses in Card Avenue and behind houses in Barlow Street



Map 29

MOOROOBOOL: North of Langan Street, east of Irene Street, west of Carnation Drive and south of Marigold Close.



Map 30

MT SHERIDAN: Sawpit Gully Detention Basin at Forest Gardens.



Map 31

MT SHERIDAN: Trafalgar Detention Basin and Balmoral Close Park from the south of Trafalgar Road to the creek to the south and from Idalia Road to the property boundary to the west.



Map 32

MT SHERIDAN: The detention basin in George Cannon Drive Park south and east of Forest Gardens Boulevard, north of George Cannon Drive and west of Des Chalmers Drive.



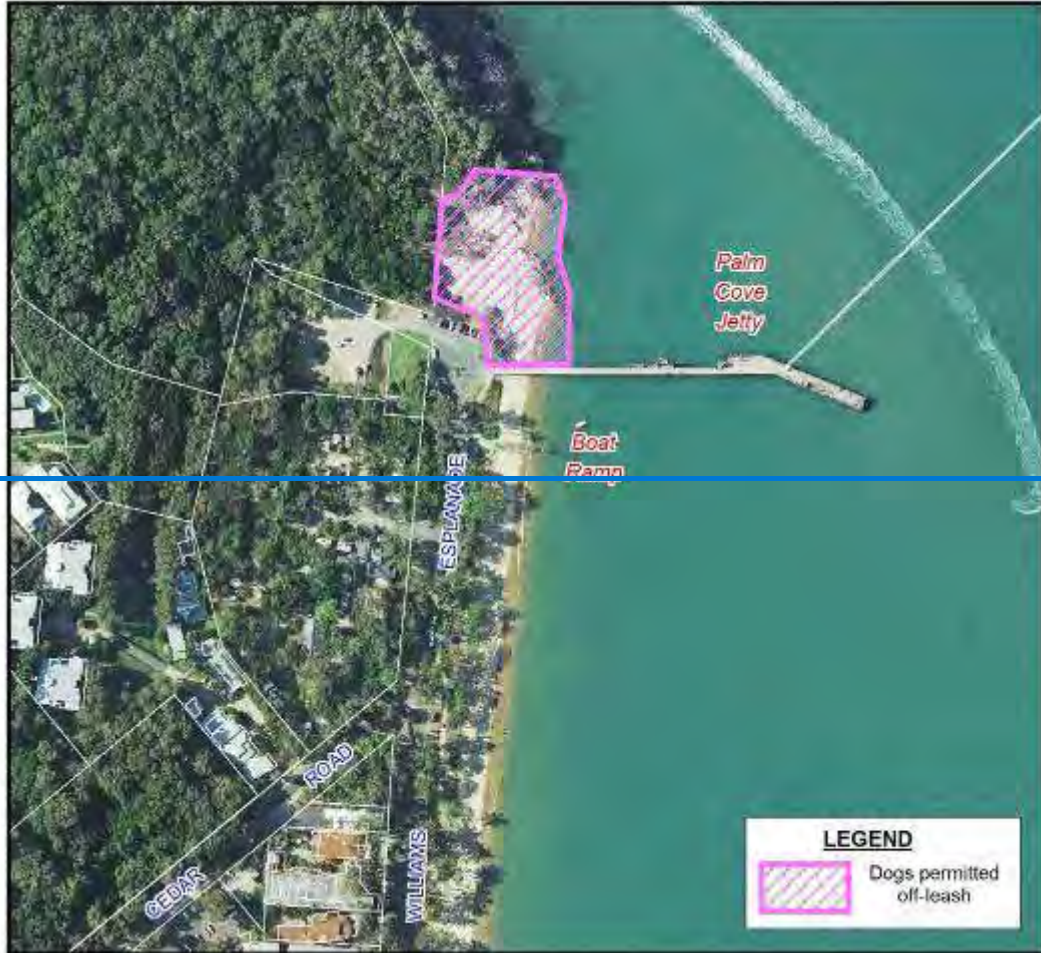
Map 33

NORTH CAIRNS: Parkland at the northern end of the Esplanade between Smith and Lily Streets and bounded by the mangroves to the east and the Esplanade to the west.



Map 34

~~PALM COVE: The area of beach between the Palm Cove jetty and the rocks on the northern side.~~



Map 35

REDLYNCH: Part of Redlynch Village Green off Harvey Road, Redlynch being at the railway line end of the parkland and behind houses in Ficus Close.



Map 36

SMITHFIELD: Part of the Rainy Mountain Park in Cumberland Avenue covering the northern end of the park behind houses in Survey Street and the fenced dog exercise area.



Map 37

TRINITY BEACH: The beach from the northern end of Vasey Esplanade and north to the rocks.



Map 38

~~TRINITY BEACH: The beach at the southern end of Trinity Beach to the South of Peacock Street.~~



Map 39

TRINITY PARK: ~~Half Moon Bay beach, Trinity Park to the south of the car park entrance.~~



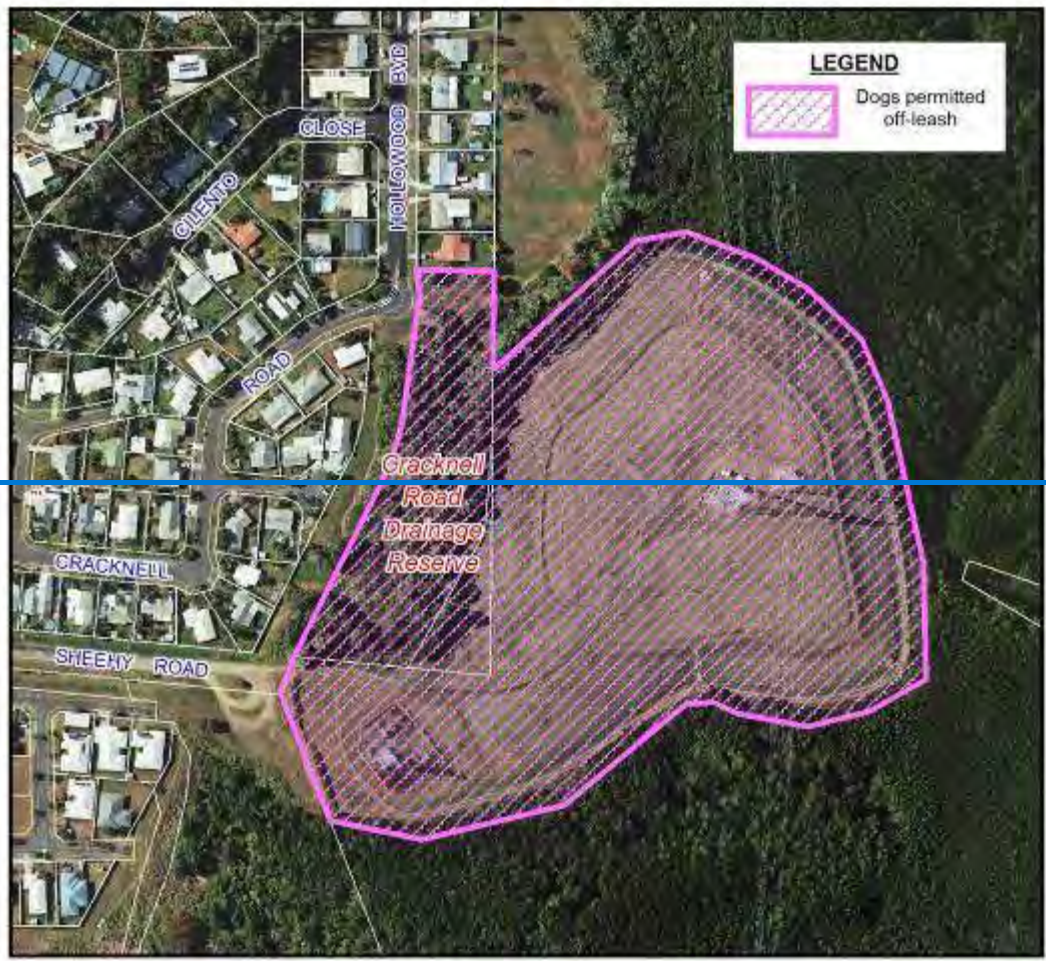
Map 40

WESTCOURT: Closed road reserve Mann Street between Lyons and Brown Streets.



Map 41

~~WHITE ROCK: Eastern end of Sheehy Road and southern end of Hollywood Boulevard extending east to the edge of the mangroves.~~



Map 42

WHITE ROCK: Part of Kahlū Park at Tiffany Street, White Rock, on the eastern side of the park to the north of Phoenix Close and east to the palm trees at the rear.



Map 43

WHITFIELD: Engineers Park on the corner of Bott and McManus Streets, Whitfield.



Map 44

WHITFIELD: Bunny Jarrett Park on the northern side of the drainage easement and creek at the corner of McManus and Bolton Streets, Whitfield and behind houses in McManus Street and Murchison Street.



Map-45

WHITFIELD: Colin Penridge Park located to the north of Murchison Street and west of McManus Street and Hillview Crescent.



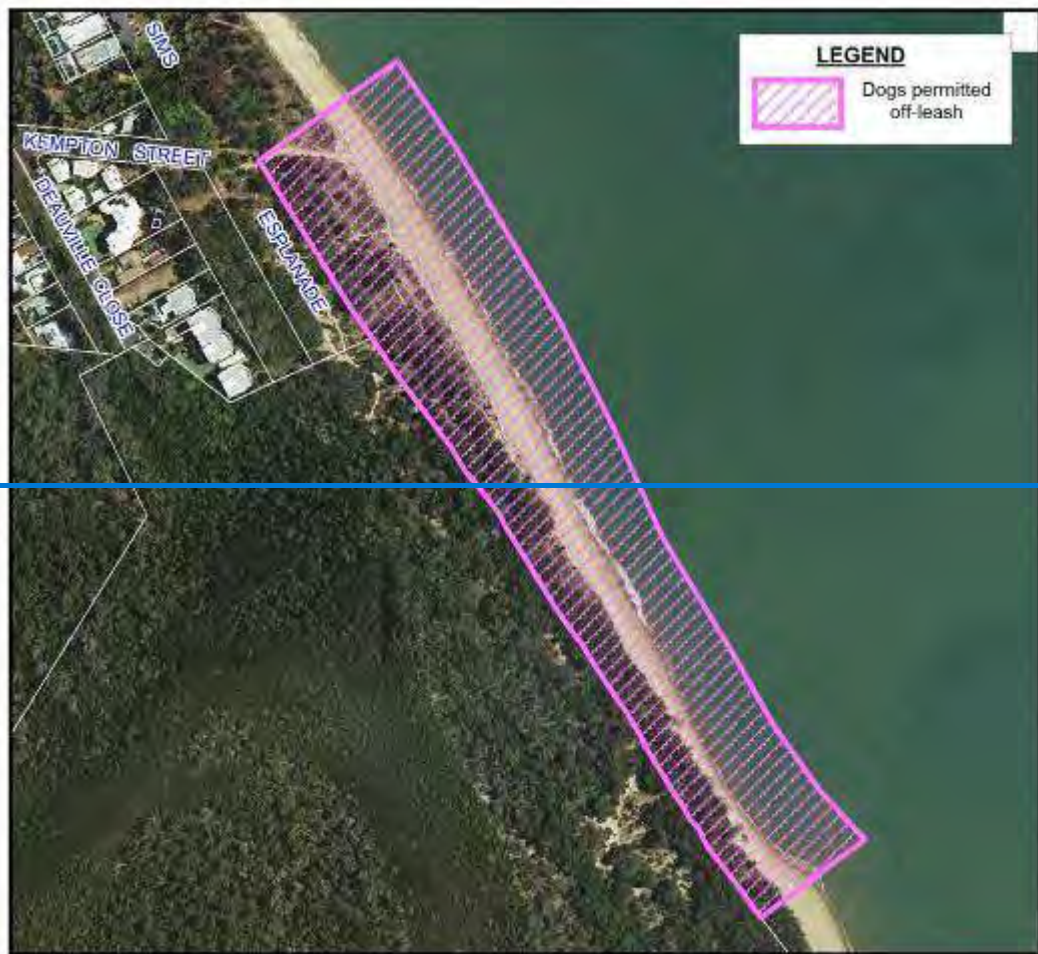
Map 46

~~WOREE: Portion of Hussey Park off Loretta Close, Woree being the eastern end of the park adjacent to Loretta Street and behind houses in Karen Close and Carmel Close.~~



Map 47

~~YORKEYS KNOB: The southern end of Yorkeys Knob beach south of the corner of Sims Esplanade and Kempton Street.~~



Schedule 57 - Conditions for sale of animals

Section 5862 Local Law No.2 (Animal Management) 2016

Column 1 Species or breed of animal	Column 2 Circumstances of seller	Column 3 Conditions that must be complied with when offering animal for sale
All Animals	Sale as part of a commercial venture	<p>(1) A person must not sell an animal unless there is a current planning scheme approval or existing use right for the use of animal keeping; and</p> <p>(2) The person selling animals must ensure that any animals offered for sale are;</p> <ul style="list-style-type: none"> (a) in good health and free from disease; (b) vaccinated and have received worm treatment; (c) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (d) not held for sale on a road or land under the control of local government; (e) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (f) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.
Dog, Cat	Licensed breeder	<p>(1)—A person must be a breeder licensed under any relevant state legislation applying to the breeding of dogs or cats <u>and</u>;</p> <p>(2)<u>(1)</u> be a breeder licensed with a relevant breeding association;</p> <p>(3)<u>(2)</u> the breeding <u>mustis</u> not <u>be</u> prohibited under section <u>1416</u> of <i>Local Law No. 2 (Animal Management) 2016</i> and Schedule 4 of this Subordinate Local Law; and</p> <p>(4)<u>(3)</u> The person selling animals must ensure that any animals offered for sale are;</p> <ul style="list-style-type: none"> (a) in good health and free from disease;

Column 1 Species or breed of animal	Column 2 Circumstances of seller	Column 3 Conditions that must be complied with when offering animal for sale
		<ul style="list-style-type: none"> (b) vaccinated and have received worm treatment; (c) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (d) not held for sale on a road or land under the control of local government; (e) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (f) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.
All animals	by an owner of an animal who is not a licenced breeder or selling as part of a commercial venture and where the animal is being kept in accordance with these local laws and any applicable state legislation	<ul style="list-style-type: none"> (1) The animal for sale must not have been bred in contravention of section 1446 of <i>Local Law No. 2 (Animal Management) 2016</i> and Schedule 4 of this Subordinate Local Law; and (2) The person selling animals must ensure that any animals offered for sale are; <ul style="list-style-type: none"> (i) in good health and free from disease; (ii) vaccinated and have received worm treatment; (iii) held in an area that is clean and sanitary and free of vermin harbourage to the satisfaction of an authorised person; (iv) not held for sale on a road or land under the control of local government; (v) restrained by enclosures, fences or be tendered so as to effectively prevent the animal from straying off the premises; and (vi) not kept in display cases or in a confined area overnight, except for an enclosure approved by an authorised person.

Schedule ~~68~~ – Recognised Associations

Section ~~5963~~ Local Law No.2 (Animal Management) 2016

Column 1 Recognised Association	Column 2 Species or Breed of Animal
Far North Queensland Bird Breeders Club Incorporated	Birds Noisy Birds
Queensland Racing Pigeon Federation Incorporated	Racing Pigeons

Schedule [97](#) – Local governments or organisations able to accept impounded animals

Section [3842](#) Local Law No.2 (Animal Management) 2016

Organisations Able to Accept Impounded Animals

Veterinarian contracted by [the local government Council](#) to supply veterinary services

Approved Animal Refuge Shelters:

- RSPCA Queensland, Cairns Shelter, Corner Arnold & Greenbank Streets, Cairns
- Young Animal Protection Society Inc, Lot 2 McGregor Road Smithfield, Cairns
- Other Animal Refuge Shelters approved by General Manager Planning & Environment.

CERTIFICATION

~~This and the preceding 97 pages bearing my initials is a certified copy of Cairns Regional Council Subordinate Local Law No. 2 (Animal Management) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

Peter Tabule

Chief Executive Officer

Cairns Regional Council



**Cairns Regional Council
Local Law No. 3 (Community and Environment) 2016**

Current as at ~~1 March 2016~~

Cairns Regional Council Local Law No. 3 (Community and Environment) 2016

Contents

Contents

Part 1 Preliminary.....	4
1 Short title.....	4
2 Purpose and how it is to be achieved.....	4
3 Relationship with other laws.....	4
Part 2 Declared local pests.....	4
Division 1 Application.....	4
4 Application of part	4
Division 2 Declaration of local pests	5
5 Declaration of local pests	5
6 Emergency declarations.....	5
Division 3 Control of local pests.....	65
7 Power to search for declared local pests.....	6
8 Pest control notices.....	6
Division 4 Prohibition of sale and propagation	76
9 Prohibition on sale	76
10 Prohibition on introducing, propagating etc. a declared local pest.....	7
Part 3 Overgrown and unsightly allotments and nuisances	7
11 Overgrown allotments	7
12 Accumulation of objects and materials on allotments.....	7
13 Maintenance of premises	8
14 Public nuisances	98
Part 5 Fires and fire hazards	11
15 Regulation of lighting and maintaining fires in the open	11
16 Fire hazards	12
Part 6 Community safety hazards	12
17 What is a community safety hazard	12

18	Power to enter property to inspect for community safety hazards	13
19	Removal or reduction of community safety hazards.....	13
20	Prescribed requirements	14 ¹⁴¹³
Part 7 Noise standards		14
21	Prescribed noise standards.....	14
Part 8 Shopping trolleys		14
Division 1 Requirements for shopping trolleys		14
22	Shopping trolley containment system.....	14
23	Alternative shopping trolley containment systems.....	15 ¹⁵¹⁴
24	Identification of shopping trolley	15
Division 2 Retailers		15
25	Shopping trolleys to remain with retail premises	15
26	Impoundment and collection notices	15
27	Offence to not reclaim impounded shopping trolley	16 ¹⁶¹⁵
28	Claiming a shopping trolley	16
29	Disposal of shopping trolleys.....	16 ¹⁶¹⁷
30	Offence to fail to collect an abandoned shopping trolley	16 ¹⁶¹⁷
Division 3 Other persons.....		17 ¹⁷¹⁷
31	Offence to remove a shopping trolley.....	17 ¹⁷¹⁷
Part 9 Miscellaneous		17 ¹⁷¹⁷
32	Subordinate local laws	17 ¹⁷¹⁷

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 3 (Community and Environment) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to protect the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from:
 - (a) inadequate protection against animal and plant pests by;
 - (i) declaring animals or plants of specified species to be local pests; and
 - (ii) exempting certain persons in relation to declared pests;
 - (b) vegetation overgrowth;
 - (c) visual pollution including from accumulation of objects and materials;
 - (d) fires and fire hazards not regulated by State law;
 - (e) community safety hazards; and
 - (f) noise that exceeds noise standards.

3 Relationship with other laws

This local law is:

- (a) in addition to and does not derogate from laws for pest management, public health, regulation of fires and environmental protection;
- (b) to be read with *Local Law No. 1 (Administration) 2016* which contains provisions and definitions that apply to all local laws; and
- (c) made under Chapter 3 of the LGA.

Part 2 Declared local pests

Division 1 Application

4 Application of part

~~(1)~~—This part does not apply to—

(1) the management of an animal or plant that is a declared pest under the *Land Protection (Pest and Stock Route Management) Act 2002* or the *Plant Protection Act 1989* an invasive biosecurity matter under the *Biosecurity Act 2014*, which is either:

- (a) mentioned or declared, or prescribed by regulation, to be a prohibited

matter¹; or

(b) mentioned or declared, or prescribed by regulation, to be a restricted matter²,

except as otherwise provided for in this local law³.

~~(a) noxious fisheries resources or diseased fisheries resources.~~

~~The following defined terms are used in this Part:~~

~~**declared pest** see the *Land Protection (Pest and Stock Route Management) Act 2002*, section 8 and the *Plant Protection Act 1989*, section 4. **diseased fisheries resources** see the *Fisheries Act 1994*, section 94.~~

~~**noxious fisheries resources** see the *Fisheries Act 1994*, schedule.~~

Division 2 Declaration of local pests

5 Declaration of local pests

The animal or plant described in Column 2 of Schedule 1 of *Subordinate Local Law No. 3 (Community and Environmental Management) 2016* is a declared local pest in the corresponding part of the local government's area mentioned in Column 1 of Schedule 1.

6 Emergency declarations

- (1) This section applies if the local government is satisfied urgent action is needed to avoid or minimise an immediate risk of environmental harm posed by a plant or animal.
- (2) The local government may, by resolution, declare an animal or plant of the relevant species to be a local pest.
- (3) A declaration under this section:
 - (a) must be published on the local government's website as soon after making the declaration as is reasonably practicable after the declaration has been made in a newspaper circulating generally in the local government's area;
 - (b) comes into force on the date of publication on the local government's website; and
 - (c) comes to an end three months after the date of publication.
- (4) The local government must also take reasonable steps to ensure that persons likely to be directly affected by the declaration are made aware of the making of the declaration, including, for example, by some or all of the following:
 - (a) advertising in a newspaper circulating generally in the local government's area;

¹ See section 48(1)(a) and (b) of the *Biosecurity Act 2014*.

² See section 48(1)(c) and (d) of the *Biosecurity Act 2014*.

³ Section 48(3) of the *Biosecurity Act 2014* allows a local government to provide for the management of invasive animals and plants, whether or not they are prohibited or restricted matter, in its local government area.

- [\(b\) advertising on radio or television; or](#)
- [\(c\) using electronic means, such as emails and text messages.](#)

~~(4)~~(5) A declaration may apply:

- (a) to the whole of the local government's area or in a specified part or parts of the area; and
- (b) generally or only in specified circumstances.

Division 3 Control of local pests

7 Power to search for declared local pests

- (1) This section applies if an authorised person wants to enter a property to search for declared local pests.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may:
 - (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to search for declared local pests.
- (3) However, the authorised person:
 - (a) must, as soon as the authorised person enters the property, inform any occupier of the property:
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission to enter the home.

8 Pest control notices

- (1) An authorised person may, by compliance notice given to the owner [or occupier](#) of land, require the owner [or occupier](#) to take specified action to control declared local pests.
- (2) The specified action may include action to:
 - (a) destroy declared local pests on the land;
 - (b) minimise the risk of an outbreak of declared local pests on the land;
 - (c) prevent or minimise seeding or reproduction by declared local pests;
 - (d) contain infestation by declared local pests within a localised area;
 - (e) reduce the density or extent of infestation by declared local pests; or
 - (f) remove harbour provided to declared local pests.

- (3) The notice may require the repetition of a specified action at stated intervals or on the reappearance of the declared local pest within a specified period.

Division 4 Prohibition of sale and propagation

9 Prohibition on sale

A person must not:

- (a) sell or supply a declared local pest; or
- (b) offer or display a declared local pest for sale or supply.

Maximum penalty ~~for subsection (1)~~—50 penalty units.

10 Prohibition on introducing, propagating etc. a declared local pest

(1) A person must not:

- (a) introduce, propagate or breed a declared local pest; or
- (b) provide harbour to a declared local pest.

Maximum penalty ~~for subsection (1)~~—50 penalty units.

(2) However, subsection (1) does not apply to a person mentioned in Column 1 of Schedule 2 of Subordinate *Local Law No. 3 (Community and Environmental Management) 2016* in relation to introducing, propagating, breeding or providing harbour to a declared local pest mentioned in the corresponding part of Column 2 of Schedule 2.

(3) In this section:

introduce means to introduce, or cause to introduce, into the local government's area.

Part 3 Overgrown and unsightly allotments and nuisances

11 Overgrown allotments

(1) This section applies where an authorised person forms the opinion that an allotment is overgrown with vegetation to such an extent that it:

(a) has seriously affected the visual amenity of the allotment; or

~~(a)~~(b) is likely to attract or harbour reptiles.

(2) The authorised person may, by compliance notice given to the owner, occupier or responsible person of the allotment, require the owner, occupier or responsible person to clear the vegetation to an extent specified in the notice.

(3) However, the notice cannot prevent a use of land authorised under the Planning Act or the *Environmental Protection Act 1994*.

12 Accumulation of objects and materials on allotments

(1) This section applies where an authorised person forms the opinion that objects or materials brought on to, or allowed to accumulate on, an allotment:

(a) have seriously affected the visual amenity of the allotment; or

~~(a)~~(b) are likely to attract or harbour reptiles.

Examples for paragraph (1) of objects and materials that may seriously affect the visual amenity of an allotment:

- Discarded or disused machinery or machinery parts.
- Broken-down or severely rusted vehicles.
- Discarded bottles, containers or packaging.
- Refuse or scrap material.

(2) The authorised person may, by compliance notice given to the owner, occupier or the responsible person of the allotment, require the owner, occupier or responsible person to:

- (a) remove objects or materials that are causing the circumstance mentioned in subsection (1)(a) or (b); or
- (b) take other specified action to remedy the circumstance mentioned in subsection (1)(a) or (b).

Example of action that might be required under paragraph (b):

Erecting an appropriate structure (in accordance with requirements under the Planning Act) to screen unsightly objects or materials from public view.

(3) However, the notice cannot prevent a use of land authorised under the Planning Act or the *Environmental Protection Act 1994*.

13 Maintenance of premises

(1) A person must not cause or allow an allotment or any structure upon an allotment to fall into a state of disrepair or dilapidation such that it becomes a risk to property or people in the neighbourhood.

Maximum penalty—50 penalty units.

(2) A person must not cause or allow an allotment or any structure on an allotment to ~~remain in a state where it~~ becomes a visual blight on the neighbourhood.

Maximum penalty ~~under subsections (1) or (2)~~—50 penalty units.

(3) In determining whether there is a visual blight on the neighbourhood the following factors may be considered:

- (a) whether the local government has received any complaints;
- (b) the content of the complaints;
- (c) the number of the complaints;
- (d) the visual impact of the structure including:
 - (i) whether the building structure is in a dirty condition;
 - (ii) whether the building structure is in a state of disrepair or dilapidation; and
 - (iii) whether the building is in need of repainting;
- (e) the prominence of the structure for those living in the neighbourhood and those passing by the premises; and

- (f) whether the content of the visual blight is offensive ~~including whether it is racial, discriminatory, has content which is likely to incite hatred, or vilify persons or organisations. Maximum penalty for subsection (2) or (3) 50 penalty units.~~
- (4) If any building or other structure is marked with graffiti the owner or responsible person for the place must remove the graffiti within a reasonable time.
- (5) An authorised person may give a compliance notice to the owner ~~and/or~~ responsible person requiring them to remove graffiti or to repair, clean or paint the building or structure ~~so that it is not dilapidated or in a state of disrepair, or no longer a visual blight.~~

14 Public nuisances

- (1) A person must not do an act or omit to do any act which causes a public nuisance.
Maximum penalty ~~for subsection (1)~~—50 penalty units.
- (2) A public nuisance is where:
- (a) a person does an act or omission that gives rise to a risk of amenity for a person on a neighbouring allotment; or
- (b) a dead animal remains on an allotment ~~and~~:
- (i) has caused harm to human health or safety or personal injury; or
- (ii) is likely in an authorised person's opinion to give rise to a risk of harm to human health or safety or personal injury.

~~Part 4 Waste management~~

~~Division 1 Waste containers~~

~~15 Placement and removal of bins~~

- ~~(1) The occupier of any dwelling to which the local government provides a domestic waste collection service and/or a kerbside recycling service must ensure that neither the standard domestic waste container and/or the standard recyclable waste container is:~~
- ~~(a) placed or deposited on the footway for collection more than 12 hours before the time notified by the local government as the specified time on a specified day for the placing or depositing the container out for collection (the "specified time"); or~~
- ~~(b) allowed to remain on the footway for more than 12 hours after the specified time.~~
- ~~(2) If subsection (1) is not complied with, the local government may remove the container and give notice to the occupier that the bin may be collected upon payment of the prescribed fee.~~
- ~~(3) A container removed by the local government under sub-section (2) shall be~~

~~returned to the occupier if a valid reason is given by the occupier to the local government for the non-compliance with subsection (1) (including providing evidence of this reason) or upon payment of the prescribed fee.~~

16— Notices on bins

~~A person must not place or attach to a standard domestic waste container; standard recyclable waste container or other waste container a notice, poster, sign or any other similar material or deface such a container in any other manner.~~

~~Maximum penalty for section 16— 20 penalty units~~

Division 2 Recyclable waste

17— Recyclable waste generally

- ~~(1) The local government may establish conditions relating to the collection, storage, disposal and transport of recyclable waste.~~
- ~~(2) The local government must not less than 7 days prior to the specific conditions taking effect:~~
- ~~(a) give public notice of any such conditions at least once;~~
 - ~~(b) give notice of any such conditions to the occupier of every dwelling to which the local government provides a kerbside recycling service;~~
- ~~(3) The occupier of every dwelling to which the local government provides a kerbside recycling service must comply with any conditions that apply to that service.~~

~~Maximum penalty— 10 penalty units.~~

18— Subject matter for conditions

~~The conditions may, for example, relate to the following matters:~~

- ~~(a) use and maintenance of standard recyclable waste containers;~~
- ~~(b) cleanliness of and spillage from such containers;~~
- ~~(c) placement and emptying of such containers; and~~
- ~~(d) notice of materials which may be deposited in such containers and prohibited materials.~~

Division 3 Waste disposal facility

19— Waste disposal facility

- ~~(1) A person must not deposit any disused refrigerator, trunk, chest or similar article at a waste disposal facility unless:~~
- ~~(a) every door, lid, lock, catch and hinge attached to a door or lid has been removed; and~~

~~(b) any gas has been removed.~~

~~Maximum penalty for subsection (1) 20 penalty units.~~

~~(2) A waste disposal facility may be closed to all traffic, or partially closed to traffic, where the local government determines that it is appropriate to close such a facility to:~~

~~(a) allow maintenance of any kind;~~

~~(b) protect public health and safety; or~~

~~(c) ensure access roads are restored to a suitable condition.~~

~~(3) A person must not, at a waste disposal facility, deposit any dangerous or hazardous material or material that is likely to cause a danger or hazard to public health or safety.~~

~~Maximum penalty for subsection (3) 40 penalty units.~~

Division 4 Littering

20 Littering

~~(1) A person must not deposit or place domestic waste, commercial waste or industrial waste on land other than at a waste disposal facility established by the local government for that purpose.~~

~~Maximum penalty for subsection (1) 30 penalty units.~~

~~(2) A person must not place any waste other than litter in a container caused to be placed by the local government on or in any local government controlled area or road for the purpose of the storage of waste.~~

~~Maximum penalty for subsection (2) 20 penalty units.~~

Part 45 Fires and fire hazards

2415 Regulation of lighting and maintaining fires in the open

(1) This section only applies ~~does not apply~~ to the lighting or maintaining of a fire that has been authorised by virtue of the operation of section 63 of under the Fire and Emergency Services Act 1990⁴.

(2) Lighting or maintaining a fire described in Column 2 of Schedule 3 of the

⁴ Pursuant to section 63 of the *Fire and Emergency Services Act 1990*, the Commissioner has authorised the lighting of fires by Gazette Notice (updated on 30 July 2010), in the following circumstances [unless a fire danger period has been declared in any part of the State]:

Provided adequate precautions are taken to prevent the spread of fire and, the lighting of the fire conforms with any Local Law defined for a part of the Local government Area administered by a Local Government in whose jurisdiction it is proposed to light the fire, or the provisions of the Environmental Protection Act 1994, the following fires may be lit without a Permit to Light a Fire being issued by a Fire Warden.

(a) a fire in which neither the height, width nor the length of the material to be consumed exceeds 2 metres;

(b) a fire lit for the purpose of burning the carcass of a beast;

(c) a fire lit at a sawmill for the purpose of burning sawdust or other residue resulting from the operations of a sawmill;

(d) a fire lit out-doors for the purpose of cooking, if enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material there from."

Refer to the Gazette Notice for full details, including for burning of sugar cane requirements.

Subordinate Local Law No. 3 (Community and Environment) 2016 is prohibited in the corresponding part of the local government's area mentioned in Column 1 of Schedule 3.

- (3) A person must comply with a prohibition or restriction imposed under this section.

Maximum penalty—50 penalty units.

- (4) A person must not light or maintain a fire if the fire exposes property to the risk of damage or destruction by fire.

Maximum penalty—50 penalty units.

- (5) However, a person does not commit an offence under subsection (3) or (4) if the person is authorised or required to light or maintain the fire in the performance of duties under another Act.

2216 Fire hazards

- (1) This section applies where an authorised person forms the opinion that a fire hazard exists on an allotment.

- (2) The authorised person may, by compliance notice given to the responsible person for the allotment, require the responsible person to take specified action to reduce or remove the fire hazard.

- (3) In this section:

fire hazard means:

- (a) anything that, because of its flammable nature, its position or its quantity, exposes a person or property to significant risk of damage, injury or destruction by fire;
- (b) live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash;
- (c) a large accumulation of grass clippings that is in the opinion of an authorised person liable to spontaneous combustion; or
- (d) dry vegetation that could be easily ignited or other flammable materials.

Part 6 Community safety hazards

2317 What is a community safety hazard

A ***community safety hazard*** is:

- (a) a tree, fence or structure on land that, because of its nature or its position, poses a significant risk of causing injury to a person or damage to property;
- (b) structures, objects or materials that are unsecured or inadequately secured and are likely to become airborne in periods of high wind in a way that will give rise to a possible risk of personal injury or property damage;
- (c) barbed wire fencing;

- (d) electric fencing;
- (e) disused machinery or machinery parts;
- (f) disused, broken down or severely rusted vehicles, or vehicle parts;
- (g) accumulation of bottles, containers or packaging;
- (h) refuse or scrap metal;
- (i) fish frames, scraping, carcasses and or guts;
- (j) smoke from outdoor cooking ovens or fires;
- (k) works, structures or things on a drainage easement or channel that have the potential to alter or obstruct, or alters or obstructs the flow of water through the drainage easement or channel;
- (l) a drainage easement or channel that has been failed to be properly maintained so that there is a potential to alter or obstruct, or it alters or obstructs the flow of water through the drainage easement or channel;
or
- (m) works, structures or things on or adjacent to a drainage easement or channel that have the potential to or actually do impact upon the drainage infrastructure.

2418 Power to enter property to inspect for community safety hazards

- (1) This section applies if an authorised person wants to enter a property to inspect it to identify any community safety hazards.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may:
 - (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to inspect the property for community safety hazards.
- (3) The authorised person:
 - (a) must, as soon as the authorised person enters the property, inform any occupier of the property:
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission to enter the home.

2519 Removal or reduction of community safety hazards

- (1) This section applies where an authorised person forms the opinion that a

community safety hazard exists on an allotment.

- (2) The authorised person may, by compliance notice given to the responsible person of the allotment, require the responsible person to take specified action in relation to the community safety hazard to:
 - (a) remove the hazard; or
 - (b) reduce the level of risk to persons or property.

Example of specified action that might be required under paragraph (b) to reduce the risk to the community from a community safety hazard:

- *Securing objects or materials that may become airborne in periods of high wind.*

2620 Prescribed requirements

- (1) ~~The owner or person responsible~~ Owners of for land that contains a community safety hazard listed in Column 1 of Schedule 4 of *Subordinate Local Law No. 3 (Community and Environment) 2016* must meet the requirements prescribed in the corresponding part of Column 2 of Schedule 4.
- (2) The owner or person responsible ~~person~~ must comply with requirements prescribed under this section.

Maximum penalty ~~for subsection (2)~~—50 penalty units.

Part 7 Noise standards

2721 Prescribed noise standards

- (1) This section applies if the local government is the administering authority for the *Environmental Protection Act 1994*, Chapter 8, Part 3B.
- (2) The noise standard in Column 2 of Schedule 5 of *Subordinate Local Law No. 3 (Community and Environment) 2016* is prescribed for the section of the *Environmental Protection Act 1994*, Chapter 8, Part 3B, Division 3 stated in Column 1 of Schedule 5.
- (3) The noise standard in Column 2 of Schedule 5 applies in the corresponding part of the local government's area mentioned in Column 3 of Schedule 5.
- (4) Where no noise standard is specified, the standards prescribed under the *Environmental Protection Act 1994* will apply.

~~(5) A person must not make, or cause to be made, a noise that exceeds the noise standard in the whole, or designated parts, of the local government's area identified in Schedule 5.~~

~~Maximum penalty—50 penalty units.~~

Part 8 Shopping trolleys

Division 1 Requirements for shopping trolleys

2822 Shopping trolley containment system

- (1) A retailer must implement a shopping trolley containment system, if:

- (a) the number of shopping trolleys owned, leased or otherwise made available to customers by that retailer exceeds 25; or
- (b) the retailer receives two or more infringement notices for the contravention of section [2534](#) (Shopping trolleys to remain with retail premises) of this local law for the same retail premises during any 12 month period, unless the local government resolves otherwise.

Maximum penalty for subsection (1)(b)—50 penalty units.

[2923](#) Alternative shopping trolley containment systems

Schedule 6 of *Subordinate Local Law No. 3 (Community and Environment) 2016*, identifies alternative shopping trolley containment systems able to be approved by the local government.

[3024](#) Identification of shopping trolley

- (1) A retailer must display the following information on each shopping trolley:
 - (a) the name of the retailer;
 - (b) a 24 hour contact telephone number to report shopping trolleys found or abandoned outside of the retailer's premises.

[Maximum penalty—10 penalty units.](#)

- (2) The information [on each shopping trolley](#) must be:
 - (a) legible;
 - (b) conspicuously displayed; and
 - (c) permanently affixed and not easily removed.

Maximum penalty ~~for failing to comply with section 30(1) or (2)~~—10 penalty units.

Division 2 Retailers

[3425](#) Shopping trolleys to remain with retail premises

- (1) A retailer must ensure that all of the shopping trolleys which the retailer provides for its customers remain within the retail premises.

Maximum penalty—10 penalty units.

- (2) It is a defence to a proceeding for a contravention of subsection [\(1\)](#) for the retailer to prove that it took all reasonable measures to ensure that the shopping trolley remains within the retail premises.

Examples of reasonable measures may include development and implementation of a trolley containment system.

[3226](#) Impoundment and collection notices

- (1) If a shopping trolley is found in a public place other than the retail premises then the local government may:
 - (a) seize and impound the shopping trolley under section 49 of *Local Law No. 1 (Administration) 2016* and give an impoundment notice to the

retailer; or

- (b) give the retailer a collection notice.
- (2) An impoundment notice or a collection notice may relate to one or more shopping trolleys.

3327 Offence to not reclaim impounded shopping trolley

- (1) It is an offence for a retailer to fail to reclaim a shopping trolley referred to in an impoundment notice given under section [2632](#)(1)(a) of this local law within 5 business days.

Maximum penalty ~~for subsection (1)~~—50 penalty units.

- (2) To avoid doubt, a failure to reclaim each of the shopping trolleys referred to within an impoundment notice within 5 business days constitutes a separate offence.

3428 Claiming a shopping trolley

- (1) A retailer claiming an impounded shopping trolley must:
 - (a) prove ownership or right to possession to the local government's satisfaction;
 - (b) sign a release, in the approved form, which releases the local government, an authorised person or other person acting in accordance with a local law from any claim or action for conversion or damages; and
 - (c) pay the prescribed fee.

3529 Disposal of shopping trolleys

- (1) The local government may dispose of any impounded shopping trolley not claimed within the period stated in an impoundment notice given under section [2632](#)–(1)(a) of this local law, in accordance with sections 49 (Impounding goods) and 50 (Dealing with seized and impounded goods) of *Local Law No. 1 (Administration) 2016*.
- (2) The retailer of a shopping trolley impounded or disposed of under this local law will have no cause of action for damages, conversion or otherwise against the local government, an authorised person or other person acting in accordance with a local law.

3630 Offence to fail to collect an abandoned shopping trolley

- (1) It is an offence for a retailer not to collect and remove each shopping trolley referred to in a collection notice given under section [2632](#)–(1)(b) of this local law after 5 days.

Maximum penalty ~~for subsection (1)~~—50 penalty units.

- (2) It is an offence for a retailer not to collect and remove each shopping trolley not later than 48 hours after being notified by telephone of its location by an authorised officer.

Maximum penalty ~~for subsection (2)~~—50 penalty units.

- (3) To avoid doubt, a failure to collect each of the shopping trolleys referred to within a collection notice within the period stated in the notice constitutes a separate offence.

Division 3 Other persons

3731 Offence to remove a shopping trolley

A person must not remove a shopping trolley from the premises where it was provided.

Maximum penalty ~~for section 37~~—50 penalty units.

Part 9 Miscellaneous

3832 Subordinate local laws

The local government may make subordinate local laws about:

- (a) declaring animals or plants of specified species to be local pests;
- (b) exempting certain persons in relation to declared pests;
- (c) prohibiting lighting and maintaining of fires;
- (d) prescribed requirements relating to community safety hazards;
- (e) prescribed noise standards; or
- (f) alternative shopping containment systems.

CERTIFICATION

~~This and the preceding 13 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 3 (Community and Environmental Management) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo~~

~~Chief Executive Officer~~

~~Cairns Regional Council~~



**Cairns Regional Council
Subordinate Local Law No. 3 (Community and Environment)
2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council Subordinate Local Law No. 3 (Community and Environment) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose.....	1
3 Authorising local law	1
Schedule 1 - Declared local pests.....	2
Schedule 2 - Persons exempted from offence of introducing etc declared local pest	3
Schedule 3 - Prohibited fires	4
Schedule 4 - Prescribed requirements for community safety hazards	5
Schedule 5 - Prescribed noise standards.....	<u>76</u>
Schedule 6 - Alternative shopping trolley containment systems.....	<u>1240</u>

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3 (Community and Environment) 2016*.

2 Purpose

The purpose of this subordinate local law is to support *Local Law No. 3 (Community and Environment) 2016* by providing schedules that must be read in conjunction with the local law:

- (a) declaring animals or plants of specified species to be local pests;
- (b) exempting certain persons in relation to declared pests;
- (c) prohibiting lighting and maintaining of fires;
- (d) prescribing requirements relating to community safety hazards;
- (e) prescribing noise standards; or
- (f) alternative shopping trolley containment systems.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 3 (Community and Environment) 2016* (the **authorising local law**).

Schedule 1 - Declared local pests

Section 5 Local Law No.3 (Community and Environment) 2016

Column 1 Applicable part of local government area	Column 2 Animal or plant that is declared local pest	
The whole of the local government area	Common Name	Species
	Hiptage	<i>Hiptage benghalensis</i>
	Brillantaisia	<i>Brillantaisia lamium</i>
	Ceara rubber tree	<i>Manihot glaziovii</i>
	Panama rubber tree	<i>Castilla eElastica</i>
	<u>Amazon Frogbit</u> <u>Leucaen (except on premises used for Agricultural purposes and managed under a relevant Code of Practice or industry specific best practice management guidelines)</u> <u>Water Poppy</u>	<u><i>Limnobium laevigatum</i></u> <u><i>Leucaena leucocephala</i> (except on premises used for Agricultural purposes managed under a relevant Code of Practice or industry specific best practice management guidelines)</u> <u><i>Hydrocleys nymphoides</i></u>

Schedule 2 – Persons exempted from offence of introducing etc declared local pest

Section 10 Local Law No.3 (Community and Environment) 2016

<p style="text-align: center;">Column 1 Exempt person</p>	<p style="text-align: center;">Column 2 Declared local pest</p>
<p>Staff of an organisation using a particular pest as part of an education or scientific program.</p>	<p>All plants and animals listed in Schedule 1 of this Subordinate Local Law</p>

Schedule 3 – Prohibited fires

Section [1524](#) Local Law No.3 (Community and Environment) 2016

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Applicable part of local government's area</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited fire</p>
<p>Entire local government area</p>	<p>(a) A person must not light or maintain a fire in the open air or use an incinerator so that it:</p> <ul style="list-style-type: none"> (a) causes environmental nuisance at a sensitive place, as defined under the <i>Environmental Protection Act 1994</i>; (b) causes an unreasonable annoyance or distress; (c) is injurious or prejudicial to health; (d) persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or social well-being of a reasonable person; or (e) disrupts or inhibits an activity ordinarily carried out on adjoining or nearby residential premises.
<p>All local government controlled areas</p>	<p>A fire that is not:</p> <ul style="list-style-type: none"> <u>(a) in a fireplace or barbecue constructed by the local government;</u> or <u>(b) in another place specifically provided or set apart by the local government for fires;</u> or <u>(a)(c) approved by the local government as a prescribed activity pursuant to <i>Local Law No. 11 (Local Government Controlled Areas and Roads) 2016</i>.</u>

Schedule 4 – Prescribed requirements for community safety hazards

Section 2026 Local Law No.3 (Community and Environment) 2016

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Community safety hazard</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed requirements to be met by owner of land</p>
<p>Objects or materials that are unsecured or inadequately secured and likely to become airborne in periods of high wind that will give rise to a possible risk of personal injury or property damage</p>	<p>(1) Objects or materials to be safely secured to the satisfaction of an authorised person; or</p> <p>(2) Objects or materials to be stored in an area where they are not subject to movement by high winds.</p>
<p>Barbed wire fencing</p>	<p>(1) Barbed wire fencing must not be installed along thea <u>boundary of any commercial premises that adjoining a designated local government controlled public park, reserve and/or drainage reserve or residential property</u>; and</p> <p>(2) Barbed wire <u>fencing must not to be used in urban along any boundary of residential premises areas only in a security fence with the barbed wire to be more than 2 metres off the ground.</u></p>
<p>Electric fencing</p>	<p><u>(1)</u> Electric fencing must only be used in rural areas;</p> <p><u>(2)</u> <u>Fencing that adjoins any road or local government controlled land must have warning signs of a size that can be read from a distance of 5 metres and fixed at 5 metre intervals along the fence;</u></p> <p>(1)<u>(3)</u> <u>Fencing must be situated at least 1.5m from a fence located on or within the boundary of the premises, or if the fencing is installed on the boundary of the premises the lowest point of the fencing capable of imparting an electric shock when touched is at least 2m in height;</u></p> <p>(2)<u>(4)</u> Electric fencing must be installed, operated and maintained in accordance with AS/NZS 3014:2003; <u>and</u></p> <p>(3)<u>(5)</u> Electric security fencing must be installed, operated and maintained in accordance with AS/NZS 3016:2002.</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Community safety hazard</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed requirements to be met by owner of land</p>
<p>Disused machinery or machinery parts</p> <p>Disused, broken down or severely rusted vehicles, or vehicle parts</p> <p>Accumulations of bottles, containers or packaging</p> <p>Refuse or scrap metal</p>	<p>(1) Must be stored in a structure or way considered appropriate by an authorised person; and</p> <p>(2) Any objects which are unsightly, in the opinion of an authorised person, are to be screened from public view.</p>
<p>Smoke from outdoor cooking ovens or fires</p>	<p>Must not, in the opinion of an authorised person, cause a nuisance to another person.</p>
<p>Fish frames, scraping, carcasses or guts</p>	<p>Must not be discarded in water courses or in a way that is likely to cause a nuisance to another person.</p>

Schedule 5 - Prescribed noise standards

Section 2127 Local Law No.3 (Community and Environment) 2016

Column 1 Section of the <i>Environmental</i> <i>Protection Act</i> 1994, Chapter 8, Part 3B, Division 3	Column 2 Prescribed noise standard	Column 3 Applicable part of local government's area
<u>440R</u>	<u>Building works:</u> (1) <u>Subject to subsection (3), a person must not carry out building work in a way that makes an audible noise—</u> <u>(a) on Monday to Saturday, before 6.30am or after 6.30p.m; or</u> <u>(b) on a Sunday; or</u> <u>(c) on a Public Holiday.</u> (2) <u>The reference in subsection (1) to a person carrying out building work—</u> <u>(a) includes a person carrying out building work under an owner-builder permit; and</u> <u>(b) otherwise does not include a person carrying out building work at premises that are the person's principal place of residence.</u> (3) <u>Subsection (1) does not apply where an authorised person has given prior written approval for the building work to be conducted outside of the prescribed noise standard, the approval for which will only be given where it is demonstrated that there is a genuine need due to:</u> <u>(a) public safety concerns;</u> <u>(b) significant disruption to traffic;</u> <u>(c) significant disruption to businesses in the nearby vicinity; or</u> <u>(d) emergency works being required.</u>	<u>Entire local government area</u>
440S Regulated devices	<u>Regulated devices:</u> (1) This section applies to: (a) a person carrying out an activity other than building work; and	Entire local government area

<p style="text-align: center;">Column 1</p> <p>Section of the <i>Environmental Protection Act 1994</i>, Chapter 8, Part 3B, Division 3</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed noise standard</p>	<p style="text-align: center;">Column 3</p> <p style="text-align: center;">Applicable part of local government's area</p>
	<p>(b) a person carrying out building work, at premises used by the person only for residential purposes, other than under an owner-builder permit.</p> <p>(2) A person must not operate a regulated device in a way that makes an audible noise:</p> <p>(a) on a business day or Saturday before 7 am or after 7 pm; or</p> <p>(b) on any other day, before 8 am or after 7 pm.</p> <p>(3) Subsection (2) does not apply to:</p> <p><u>(a)</u> a person operating a grass-cutter or leaf-blower at a place that is a State-controlled road or a railway under an authority from the occupier of the place; or</p> <p><u>(b)</u> an employee or contractor of the local government operating a grass-cutter, <u>or</u> leaf blower or street sweeper being operated under an authority of the local government; <u>or</u></p> <p><u>(a)(c) a person temporarily operating a generator on private property for use during unscheduled, temporary power outages from the supplier.</u></p> <p>(4) Subsection (2)(a) does not apply to a person operating a regulated device at a manual arts facility at an educational institution between 7 pm and 10 pm.</p> <p>For the purposes of subsection (2), if the person using or operating the regulated device is a minor, liability instead attaches to a parent, guardian or person with actual or apparent care of the minor.</p>	
440T Pumps	<p>Pumps:</p> <p>(1) This section applies to premises at or for which there is a pump.</p>	Entire local government area

Column 1 Section of the <i>Environmental</i> <i>Protection Act</i> 1994, Chapter 8, Part 3B, Division 3	Column 2 Prescribed noise standard	Column 3 Applicable part of local government's area
	<p>(2) An occupier of the premises must not use, or permit the use of, the pump on any day-</p> <p>(a) from 7 pm to 7 am the following day, if it makes a noise of more than 3dB(A) above the background level; or</p> <p>(b) from 7 am to 7 pm if it makes a noise of more than 5dB(A) above the background level.</p> <p>(3) Subsection (2)(a), does not apply to a noise made at an educational institution, that is not more than 5dB(A) above the background level.</p>	
440U Air-conditioning equipment	<p>Air-conditioning equipment</p> <p>(1) This section applies to premises at or for which there is air-conditioning equipment.</p> <p>(2) An occupier of the premises must not use, or permit the use of, the equipment on any day or time, if it makes a noise of more than 5dB(A) above the background level.</p>	Entire local government area
440V Refrigeration equipment	<p>440V Refrigeration equipment</p> <p>(1) This section applies to a person who is:</p> <p>(a) an occupier of premises at or for which there is plant or equipment for refrigeration (refrigeration equipment); or</p> <p>(b) an owner <u>or operator</u> of refrigeration equipment that is on or in a vehicle, other than a vehicle used or to be used on a railway.</p> <p>(2) The person must not use, or permit the use of, the refrigeration equipment on any day at any time, if it makes a noise of more than 5dB(A) above the background level.</p>	Entire local government area

<p style="text-align: center;">Column 1</p> <p>Section of the <i>Environmental Protection Act 1994</i>, Chapter 8, Part 3B, Division 3</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prescribed noise standard</p>	<p style="text-align: center;">Column 3</p> <p style="text-align: center;">Applicable part of local government's area</p>
<p>440X Open-air events</p>	<p>440X Open-air events</p> <p>(1) An occupier of premises must not use, or permit the use of, the premises for an open air event on any day:</p> <p>(a) from 10 pm to 7 pm the following day, if the noise levels produced 3 metres immediately in front of speaker systems exceed 100dB(C); or</p> <p>(b) from 7 pm to 10 pm; if the noise levels produced 3 metres immediately in front of speaker systems exceed 110dB(C).</p> <p><u>(a) before 7 am, if the use causes audible noise;</u></p> <p><u>(b) from 7 am to midnight, if the use causes noise of more than 70dB(A); or</u></p> <p><u>(c) from midnight to 7 am, if the use causes noise of more than the lesser of the following:</u></p> <p><u>(i) 50dB(A);</u></p> <p><u>(+)(ii) 10dB(A) above the background level.</u></p> <p>(2) However, subsection (1) does not apply to licensed premises <u>where noise is managed by the Office of Liquor and Gaming Regulation.</u></p> <p>(3) Also, subsection (1)(b) does not apply if:</p> <p>(a) the premises is, or is part of, an educational institution; and</p> <p>(b) the use of the premises for an open-air event is organised by or for the educational institution for non-commercial purposes of the institution.</p>	<p>Cairns Esplanade Reserve</p> <p>Munro Martin Park</p> <p>Barlow Park</p> <p>Sugarworld Parklands</p> <p>Cairns Botanic Gardens</p> <p><u>CBD</u></p>
<p>440X Open-air events</p>	<p>440X Open-air events</p> <p>(1) An occupier of premises must not use, or permit the use of, the premises for an open air event:</p>	<p>Balance of the CBD (excluding Cairns)</p>

Column 1 Section of the <i>Environmental Protection Act 1994</i> , Chapter 8, Part 3B, Division 3	Column 2 Prescribed noise standard	Column 3 Applicable part of local government's area
	(a) on any day at any time, if the noise levels produced 3 metres immediately in front of speaker systems exceed 90dB(C).	Esplanade Reserve)
440X Open-air events	<p>440X Open-air events</p> <p>(1) An occupier of premises must not use, or permit the use of, the premises for an open-air event on any day:</p> <p>(a) before 7 am_i; if the use causes audible noise;</p> <p>(b) from 7 am to 10 pm_i if the use causes noise of more than 70dB(A); or</p> <p>(c) from 10 pm to midnight, if the use causes noise of more than the lesser of the following:</p> <p>(a) 50dB(A);</p> <p>(b) 10dB(A) above the background level.</p> <p>(2) However, subsection (1) does not apply to licensed premises <u>where noise is managed by the Office of Liquor and Gaming Regulation</u>.</p> <p>(3) Also, subsection (1)(b) does not apply if:</p> <p>(a) the premises is, or is part of, an educational institution; and</p> <p>(b) the use of the premises for an open-air event is organised by or for the educational institution for non-commercial purposes of the institution.</p>	<p>Balance of the local government area_i (excluding:</p> <ul style="list-style-type: none"> • <u>CBD</u>_i • and • Cairns Esplanade Reserve)_i; • <u>Munro Martin Park</u>_i; • <u>Barlow Park</u>; and • <u>Cairns Botanic Gardens</u>.

Schedule 6 – Alternative shopping trolley containment systems

Section [2923](#) Local Law No.3 (Community and Environment) 2016

The following alternative shopping trolley containment systems may be approved by resolution of the local government:

- Coin/token operated systems with refund;
- Provision of trolley attendants responsible for the collection of trolleys; or
- Another system which demonstrates a commitment to contain trolleys to the retailers premises, or to within the boundaries of a shopping centre and may include staff permanently stationed at exits during trading hours.

CERTIFICATION

~~This and the preceding 10 pages bearing my initials is a certified copy of Cairns Regional Council Subordinate Local Law No. 3 (Community and Environment) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

Peter Tabule

Chief Executive Officer

Cairns Regional Council



**Cairns Regional Council
Local Law No. 5 (Temporary Homes and Camping) 2016**

Current as at ~~1 March 2016~~

Cairns Regional Council Local Law No. 5 (Temporary Homes and Camping) 2016 Contents

Part 1 Preliminary..... 1

1 Short title..... 1

2 Purposes and how they are to be achieved 1

3 Relationship with other laws..... 1

Part 2 Temporary homes establishment or occupation 1

4 Prescribed activity 1

5 Activities that do not require a permit..... 1

6 Criteria for making an application..... 2

The following criteria must be satisfied prior making an application to the local government for a temporary home, namely that:..... 2

7 Additional criteria for the granting of a permit..... 2

8 Conditions that must be imposed on permits 2

9 Conditions that will ordinarily be imposed on permits..... 3

Part 3 Camping 3

10 Prescribed activity 3

11 Activities that do not require a permit..... 3

The following activities do not require a permit under this local law: 3

12 Additional criteria for the granting of a permit..... 4

The following criteria is criteria that must be considered by the local government for the granting of a permit: 4

13 Conditions that will ordinarily be imposed on permits..... 4

The following types of conditions will ordinarily be imposed on an approval:..... 4

~~Part 1 Preliminary..... 1~~

~~1 Short title..... 1~~

~~2 Purposes and how they are to be achieved 1~~

~~3 Relationship with other laws..... 1~~

~~Part 2 Temporary homes establishment or occupation 1~~

~~4 Prescribed activity 1~~

~~5 Activities that do not require a permit..... 1~~

~~6—Additional criteria for the granting of a permit.....2~~
~~7—Conditions that must be imposed on permits2~~
~~8—Conditions that will ordinarily be imposed on permits.....3~~

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 5 (Temporary Homes ~~and Camping~~) 2016*.

2 Purposes and how they are to be achieved

- (1) The purposes of this local law is to regulate the use of a temporary home or camping that is not regulated under the planning scheme or Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016.
- (2) The purpose is to be achieved by making ~~it an offence to use~~ a temporary home or camping a prescribed activity that requires a permit ~~without a permit and to provide for an application and approval process~~.

3 Relationship with other laws

This local law:

- (a) is to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- ~~(b) has appeals in relation to temporary homes dealt with under the planning act;~~
- ~~(c)~~(b) is otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment; and
- ~~(d)~~(c) is made under Chapter 3 of the LGA.

Part 2 Temporary homes establishment or occupation

4 Prescribed activity

- (1) Establishment or occupation of a temporary home is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.
- (3) Permits granted are not transferable.

5 Activities that do not require a permit

Nil

6 Criteria for making an application

The following criteria must be satisfied prior making an application to the local government for a temporary home, namely that:

- (a) the temporary home is not intended to be used as a permanent or indefinite place of habitation; and
- (b) there is a current development permit to erect a dwelling on the relevant land and that dwelling (or a part of the dwelling) will be used as a permanent or indefinite place of habitation.

67 Additional criteria for the granting of a permit

The following types of criteria that must be considered for the granting and renewal of a permit are that:

that:

~~the temporary home is not intended to be used as a permanent or indefinite place of habitation; and~~

~~(a) there is a current development approval to erect a dwelling on the relevant land which dwelling (or a part of which dwelling) will be used as a permanent or indefinite place of habitation.~~

~~(b)~~(a) the temporary home has a sufficient source of water supply and sufficient means of disposal of effluent and refuse to ensure that minimum standards of health and hygiene for safe human habitation can be established and maintained;

~~(c)~~(b) the total time taken or proposed to be taken for the construction of the permanent dwelling; and

~~(d)~~(c) for a renewal:

- (i) whether there has been substantial progress towards the completion of the permanent dwelling; and
- (ii) demonstrated compliance with the conditions of the approval.

78 Conditions that must be imposed on permits

The following types of conditions ~~that~~ must be imposed on a permits state:

- (a) the temporary home is to be maintained in good order and not allowed to become unsightly or unhygienic;
- (b) the date by which substantial progress must be made towards the completion of the dwelling to be constructed on the land;
- (c) the date by which habitation of the temporary home must cease which must be the earlier of the 12 month term of the permit or the date on which the dwelling may be lawfully occupied;
- (d) the dimensions of the temporary home or any part thereof;

- (e) ablution, toilet and laundry facilities which must be provided as part of the temporary home;
- (f) the method by which water is to be supplied to the temporary home;
- ~~(f)~~(g) that a permit holder must safely secure the temporary home at all times in the event of a cyclone or other weather event;
- ~~(g)~~(h) the date by which the temporary dwelling is to be removed or demolished; and
- ~~(h)~~(i) the method by which waste water and refuse are to be disposed of from the temporary home.

89 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on a permit where applicable:

- (a) the construction materials and methods of construction of the temporary home or any part thereof; and
- (b) painting and other external treatment of the temporary home or any part thereof, either at the stage of construction or at any later time.

Part 3 Camping

10 Prescribed activity

- (1) The use and/or occupation of premises for camping is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government on the approved form required under *Local Law No. 1 (Administration) 2016* and this local law.

11 Activities that do not require a permit

The following activities do not require a permit under this local law:

- (a) camping that will be used on the premises for less than 4 weeks within a 12 month period; or
- (b) an activity that is regulated pursuant to *Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016*; or
- (c) the establishment or occupation of a temporary home requiring approval under section 4 of this local law; or
- (d) the use of the premises for camping that constitutes a material change of use of premises under the Planning Act.

12 Additional criteria for the granting of a permit

The following criteria is criteria that must be considered by the local government for the granting of a permit:

- (a) the intended duration of the stay for camping;
- (b) the intended purpose of the camping and whether it is for residential or recreational purposes;
- (c) if the owner is not the applicant, that the owner has provided written consent for the proposed activity being undertaken at the premises;
- (d) the number of persons intended to be accommodated by the camping activity;
- (e) the type of camping in which the activity will be undertaken is considered appropriate and does not require any additional approval under any other law;

Example

An appropriate type of accommodation may be a tent, caravan, campervan or similar accommodation.

A structure that requires an additional approval under the Building Act 1975 would not be considered appropriate.

- (f) that the camping activity is considered to be reasonably incidental to the lawful use of the premises pursuant to the planning scheme of the local government;
- (g) that the activity is consistent with the provisions of the planning scheme, any development approval issued or any existing lawful use rights that apply to the premises;
- (h) the camping activity will be located on the premises in a way that does not adversely impact on the amenity of the owner or occupier of the adjoining land;
- (i) the person undertaking the camping activity has access to and use of appropriate, safe and hygienic bathing and sanitary facilities; and
- (j) an adequate means of waste disposal and sanitation, including proper disposal of effluent, will be provided to ensure that reasonable standards of health and hygiene are maintained.

13 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on an approval:

- (a) the purpose of the camping activity must only be used for residential or recreational purposes;
- (b) the type of camping accommodation that is permitted and the timeframe for which it is permitted;

- (c) the camping accommodation must be designed, sited and maintained to ensure that it does not adversely impact on public health and safety, and must be –
- (i) compliant with any safety, durability or fabric requirement and codes under applicable laws;
 - (ii) maintained in good order and repair;
 - (iii) maintained in a clean, tidy, sanitary and hygienic condition;
 - (iv) maintained in a state to ensure that lighting used to illuminate any areas is angled or shaded in such a manner that the light does not cause a nuisance;
 - (v) provided with potable water suitable for consumption and with an adequate waste disposal; and
 - (vi) provided with sufficient waste containers to accommodate the collection and storage of all waste generated by and in conjunction with the use of the camping activity, and must ensure those waste containers are kept as not to attract pests;
- (d) the camping accommodation does not accommodate more than the number of persons specified in the approval; and
- (e) the use of the premises for the camping activity must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding amenities and neighbourhood.

CERTIFICATION

~~This and the preceding 3 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 5 (Temporary Homes) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

Peter Tabulo

Chief Executive Officer

Cairns Regional Council



**Cairns Regional Council
Local Law No. 6
(Camping Grounds, Caravan Parks and Shared Facilities
Accommodation) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council

Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purposes and how they are to be achieved	1
3 Relationship with other laws.....	1
Part 2 Operation for which a permit is required	1
Division 1 Application of part	1
4 Application of Part.....	1
Division 2 Prescribed activity	2
5 Prescribed activity	2
6 Activities that do not require a permit.....	2
7 Additional criteria for the granting of a permit.....	3
8 Conditions that must be imposed on a permit	3
9 Conditions that will ordinarily be imposed on a permit	11
Part 1 Preliminary.....	1
1 Short title.....	1
2 Purposes and how they are to be achieved	1
3 Relationship with other laws.....	1
Part 2 Operation for which a permit is required	1
Division 1 Application of part	1
4 Application of Part	1
Division 2 Prescribed activity	2
5 Prescribed activity	2
6 Activities that do not require a permit.....	2
7 Additional criteria for the granting of a permit.....	3
8 Conditions that must be imposed on a permit	3
9 Conditions that will ordinarily be imposed on a permit	8

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to enable the local government to regulate activities, excluding those regulated under the planning scheme that are not development, which relating to public health and safety that occur in the operation of camping grounds, caravan parks, and shared facilities accommodation.
- (2) The local law seeks to protect people using the camping grounds, caravan parks, and shared facilities accommodation by providing for basic necessities, and healthy and safe environs.
- (3) The purpose is to be achieved by making it an offence to conduct those activities inconsistently with the requirements of this local law or the conditions of any approval under it and to provide for an application and approval process.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- (b) made under Chapter 3 of the LGA; and
- (c) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.

Part 2 Operation for which a permit is required

Division 1 Application of part

4 Application of Part

- (1) This part does not apply to the local government, except that it must comply with the conditions under section 8 of this local law as if they were requirements, unless expressly excluded.
- (2) This part applies to all other operators of camping grounds, caravan parks, and shared facilities accommodation.

Division 2 Prescribed activity

5 Prescribed activity

- (1) The operation of a camping ground, caravan park, shared facilities accommodation, or a combination of them, is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government on ~~approved~~ the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.
- (3) A permit granted for the operation of a camping ground, caravan park, a shared facilities accommodation, or a combination of them, is not transferable.

6 Activities that do not require a permit

The following activities ~~operation of camping grounds, caravan parks, and shared facilities accommodation is~~ are not subject to the operation of this local law:

- (a) premises used to provide residential services, as defined in the *Residential Services (Accreditation) Act 2002*;
- (b) ~~a residential tenancy under a residential tenancy agreement accommodation regulated by the accommodation regulated by the Residential Tenancies and Rooming Accommodation Act 2008~~;
- (c) public housing as defined in the *Sustainable Planning Act 2009*-Planning Act;
- (d) a home based business as defined under the planning scheme where accommodation is provided;
For example- a bed and breakfast facility
- (e) a farm stay;
- (f) a hotel, motel, or resort complex as defined under the planning scheme;
- (g) a hospital, residential care facility, community residence, retirement facility, or other institution where people who require assistance or support with living needs or health services share communal spaces as defined under the planning scheme;
- (h) a residential college or boarding school;
- (i) a religious institution e.g. monastery;
- (j) a community title scheme as defined under the *Body Corporate and Community Management Act 1997*;
- (k) a dwelling house as defined under the planning scheme;
- (l) premises in which the only accommodation provided is recreational accommodation for camps for school groups, girl guides, scouts or similar groups; or
- (m) ~~detention~~ facilities as defined under the planning scheme.

7 Additional criteria for the granting of a permit

The following type of criteria must be considered for the granting of a permit:

- (a) whether the application is consistent with the provisions of the local government's planning scheme, any development approval issued for the site or any existing lawful use rights that apply to the premises; and
- (b) whether the development premises will be operated to a proper standard of hygiene, safety and comfort in the opinion of an authorised person.

8 Conditions that must be imposed on a permit

(1) ~~The following type of conditions must be imposed on a permit for~~ For all prescribed activities under this local law, the following types of conditions must be imposed on a permit so as to require the permit holder to:

- (a) ensure that the maximum number of people accommodated or sites ~~does~~ not exceed the limit specified on any development approval or the number under an existing lawful use right;

(b) keep and maintain all buildings, sanitary facilities and all other facilities: in the development

- (i) to a good standard of hygiene and safety;
- (ii) in a good state of repair and working order; and
- (iii) in a clean, sanitary and safe condition;.

~~(b)(c)~~ (c) securely keep, maintain and make available for an authorised person to peruse and copy on request, a current site plan identifying, as appropriate:

- (i) all sites, bedrooms and beds;
- (ii) communal facilities;
- (iii) water tap access points and disposal points; ~~and~~
- (iv) communal areas; and

~~(iv)(v)~~ (v) parking;

~~(e)(d)~~ (d) provide, keep and maintain an adequate supply of water;

~~(d)(e)~~ (e) ensure an adequate supply of potable water is provided for the use of guests for drinking, cooking, cleaning and personal hygiene;

(f) where water is provided from a private water supply for drinking, cooking, food preparation, food processing, bathing, showering, handwashing and tooth brushing, the permit holder must ensure that:

- (i) a water supply management plan is developed, implemented and maintained;
- (ii) all practicable measures are taken to ensure the water is potable at all times;

- (iii) the water is tested by a suitably qualified facility (NATA accredited) at least once in any 12-month period to ensure it meets the NHMRC Australian Drinking Water Guideline standards for:
- A. E. coli;
 - B. pH; and
 - C. turbidity;
- (iv) the water management plan and records of water testing must be securely kept and made available to an authorised person upon request;:-
- ~~(e) where any potable water used for the operation of the development is not town water supply, each year provide to council by the annual date provided in the permit evidence that the water meets the NH&MRC (2011) Guideline standards for:~~
- ~~(i) E. coli;~~
 - ~~(ii) pH; and~~
 - ~~(iii) turbidity;:-~~
- (g) any taps at the premises that supply water that is not intended for drinking must be clearly identified with signage to warn consumers that the water is not suitable for drinking;:-
- ~~(f)(h) provide, keep and maintain appropriate sanitary facilities for collection, storage and disposal of waste;~~
- ~~(g) at all times keep the development, its buildings, sanitary facilities and other facilities in a good state of repair and working order, and clean, sanitary and safe conditions;~~
- ~~(h)(i) ensure that all fixtures, equipment, fittings and furniture are kept and maintained in a good state of repair and working order;~~
- ~~(i)(j) display a certificate of the permit notice advising of the conditions of the permit holder must be displayed at each public entrance to the point of check in for the premises which the permit applies to the development to which the conditions apply;~~
- ~~(j)(k) a notice advising of the conditions must be displayed at each public entrance to the development to which the conditions apply the point of check in for the premises that specifies the rules of entry or, if impracticable, provide a copy of the rules of entry to the guest upon entry to the premises;~~
- ~~(k)(l) except for a local government free camping ground, securely keep, maintain and make available for an authorised person to peruse and copy on request, an up-to-date register of all persons accommodated at the development. Such register must have the occupants forwarding contact~~

details, full name, address and site number, bed or bedroom allocated to the person (as appropriate) and the date of arrival and departure;

~~(l)(m)~~ comply with all requirements contained within the [securely keep and make available for an authorised person to peruse and copy on request, a copy of any service records relating to fire safety installations for all fire equipment on the premises and, if applicable, a current fire safety management report from Queensland Fire and Rescue Emergency Services and keep the plan available for inspection;](#)

~~(m)(n)~~ take all practical measures to control pests and [include securely keep, maintain and make available for an authorised person to peruse and copy on request, a pest management plan, incorporating the following:](#)

- (i) the prevention of introduction of pests;
- (ii) the maintenance required to prevent harbourage of pests;
- (iii) procedures to monitor the detection of the presence of pests;
- (iv) intervention strategies when pests are detected; and
- (v) record keeping pertaining to the [pest management](#) plan;

~~(n) except for a local government free camping ground, ensure that all records and site plans are maintained and made available for perusal by an authorised person on request, and kept at the office at all times while the office is open and saved and backed up electronically off site;~~

~~(o) except for a local government free camping ground, establish and maintain a clearly designated office;~~

~~(p) keep appropriate records for any swimming pool as required to ensure public health and safety;~~

~~(o) keep and Mmaintain swimming pool water quality to appropriate standards and appropriate records to ensure public health and safety;~~

Note: ~~aa~~ appropriate standards include, but are not limited to, complying with Queensland Health's Water Quality Guidelines for Public Aquatic Facilities.

~~(p) securely keep, maintain and make available for an authorised person to peruse and copy on request, all records relating to swimming pool water quality;~~

(q) ensure that occupants can contact emergency services at all times; and

(r) where bedding is supplied: ~~keep and maintain bedding in a clean and in a sanitary condition.~~

~~(i) keep bedding clean and in a sanitary condition; and~~

~~(ii) change and replace with clean bed linen whenever there is a change of occupation of the relevant accommodation on the site or at least once a week whichever is the sooner.~~

(2) In this section –

- (a) **securely keep** means to keep securely in a readily accessible place at the premises and
 - (i) if kept electronically, that each item is securely kept by being backed up remotely at an appropriate off-site location or by using a web-based or cloud storage solution; or
 - (ii) if kept as a hardcopy, that each item is securely kept by being contained in a fireproof and waterproof receptacle; and
- (b) **rules of entry** means the conditions or rules that apply to guests entering the premises as determined by the owner or operator of the premises for the use, enjoyment, control and management of the premises for the activity.

~~(2)~~(3) For caravan parks only, the following type of conditions must also be imposed on a permit so as to require the permit holder to:

- (a) -ensure all sites are clearly numbered;
- (b) not locate or permit accommodation at any place within the caravan park other than on a site approved by the local government;
- ~~(c)~~ provide and maintain compliant ground anchor points designed to withstand heavy wind loads in accordance with AS/NZS 1170:2:2011 Structural design actions part 2: Wind Actions to enable the tie-down of caravans, mobile homes, temporary buildings or any other accommodation;
- ~~(d)~~(c) ensure an adequate number of laundry tubs, clothes lines and washing machines are available for guests, ~~where an adequate number would mean being~~ at least 1 laundry tub, washing machine and 20 metres of clothes line ~~are available~~ for every 20 sites;
- ~~(e)~~(d) ensure an adequate provision of sanitary facilities and showers or baths in accordance with the table inserted below:

Up to 21 Sites	Either	Female - sanitary facilities <u>and showers or baths</u>	1 per 7 sites
		Male - sanitary facilities <u>and showers or baths</u>	1 per 10 sites
		Male - urinal	0.6m per 20 sites
	Or	Unisex sanitary facilities <u>and showers or baths</u>	1 per 7 sites
		Female –	(3 for up to 21)

Over 21 sites	sanitary facilities <u>and showers or baths</u>	+ 1 per 20 sites in excess of 21
	Male – sanitary facilities <u>and showers or baths</u>	(2 for up to 21) + 1 per 20 sites in excess of 21
	Either Male - urinal	0.6m per 20 sites
	Or Unisex – sanitary facilities <u>and showers or baths</u>	(3 for up to 21) + 1 per 20 sites in excess of 21

~~Where an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants they will be excluded from using the calculation in the table;~~

Note: The above table does not apply where the accommodation is fitted with sanitary facilities and showers or baths provided for the exclusive use of the occupants.

- ~~(f)(e)~~ in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access for people with disabilities in accordance with AS1428 – Design for Access by the Disabled and Mobility (or as further amended) and ensure that there are an appropriate number of hand wash basins available for personal hygiene purposes;
- ~~(g)~~ separate ablution facilities for each gender are to be provided and maintained in the ratio of 1 shower or bath and hand basin to every 15 sites;
- ~~(h)(f)~~ ensure all sanitary facilities are constructed to ensure privacy and are kept and maintained in a way that ensures privacy;
- ~~(i)(g)~~ ensure each shower or bath facilityies is installed:
- (i) with separate drainage points for the discharge of water into the drainage system; and
 - (ii) in a separate compartment or cubicle which is constructed to ensure privacy;
- ~~(j)(h)~~ provide and maintain a central drainage inlet which is connected to a sewage or drainage system; and at a distance not more than 10 m from any site, a waste water disposal point which is:
- ~~(i)~~ provided with a water tap; and

~~(ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to a sewerage or drainage system; and~~

~~(k)(i) ensure that a person does not stay at a caravan park for more than the maximum length of stay by a person at a caravan park will be 12 weeks in a 12 month period (*the period*), regardless of whether the stay during that period is continuous or broken, unless a condition of a permit expressly states otherwise or existing lawful use rights permit a longer stay. When calculating the length of stay any period of time, either side of a person ceasing to stay for less than 12 weeks and then returning, will be accumulated in the calculation.~~

~~(3)(4)~~ For shared facilities accommodation only, the following type of conditions must also be imposed on a permit so as to require the permit holder to:

- (a) provide a set of clean sheets or clean sheet sleeping envelopes to each occupant on arrival at the accommodation premises;
- (b) reside, or delegate an approved representative who must reside, ~~on the land~~ at the accommodation premises at all times;
- (c) provide shared or communal areas and facilities and keep and maintain such areas and facilities in a good condition;
- (d) ensure all light fittings and other ceiling and wall projections (including ceiling and wall fans) are provided with safety guards or positioned so as not to be a danger to any occupants of a bedroom in the accommodation premises;
- (e) ensure ~~all rooms are~~ each room within the accommodation premises is clearly numbered;
- (f) ensure that no cooking or use of cooking facilities occurs in any bedroom. This does not apply to a self-contained bedroom, but only to the extent that the cooking facilities in the self-contained bedroom are provided by the permit holder;
- (g) ensure that sleeping bags are not used to sleep on any bed;
- (h) ensure that in any bunk, the distance between the surface of:
 - (i) the lower bed and the base of the upper bed is at least 87cm; and
 - (ii) the upper bed and the ceiling is at least 100cm;
- (i) provide, keep and maintain adequate under cover dining room seating for a minimum of 25% of the maximum potential number of occupants; and
- (j) towels and bed linen supplied shall be replaced with clean towels and bed linen before a change of occupancy, or at least once a week, whichever is the sooner.

~~(4)~~(5) For camping grounds only, the following type of conditions must also be imposed on a permit so as to require the permit holder to:

- (a) ensure all sites are clearly numbered;
- (b) not locate or permit an accommodation to be located at any place within the camping ground other than on a site approved by the local government;
- (c) ~~the maximum length of stay by a person at the camping ground will be~~ ensure that a person does not stay at a camping ground for more than 12 weeks in a 12 month period (*the period*), regardless of whether the stay during that period is continuous or broken, unless a condition of a permit expressly states otherwise or existing lawful use rights permit a longer stay. ~~When calculating the length of stay any period of time, either side of a person ceasing to stay for less than 12 weeks and then returning, will be accumulated in the calculation;~~
- (d) except for a local government free camping ground, ensure an adequate number of laundry tubs, clothes lines and washing machines are available for guests, ~~where an adequate number would mean being~~ at least 1 laundry tub, washing machine and 20 metres of clothes line are available for every 20 sites;
- ~~(e) provide and maintain at a distance not more than 10 metres from any site, a waste water disposal point which is:~~
 - ~~(i) provided with a water tap; and~~
 - ~~(ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to a sewerage or drainage system;~~
- ~~(f)~~(e) ensure an adequate provision of sanitary facilities and showers or baths are being provided and maintained in accordance with the table inserted below:

Up to 21 Sites	Either	Female - sanitary facilities <u>and showers or baths</u>	1 per 7 sites
		Male - sanitary facilities <u>and showers or baths</u>	1 per 10 sites
		Male - urinal	0.6m per 20 sites
	Or	Unisex sanitary facilities <u>and showers or baths</u>	1 per 7 sites
		Female –	(3 for up to 21)

Over 21 sites	sanitary facilities <u>and</u> <u>showers or baths</u>	+ 1 per 20 sites in excess of 21
	Male - sanitary facilities <u>and</u> <u>showers or baths</u>	(2 for up to 21) + 1 per 20 sites in excess of 21
	Either Male - urinal	0.6m per 20 sites
	Or Unisex – sanitary facilities <u>and</u> <u>showers or baths</u>	(3 for up to 21) + 1 per 20 sites in excess of 21

~~Where an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants they will be excluded from using the calculation in the table;~~

~~Note: The above table does not apply where the accommodation is fitted with sanitary facilities and showers or baths provided for the exclusive use of the occupants.~~

~~Note: The above table does not apply where the accommodation is fitted with sanitary facilities provided for the exclusive use of the occupants;~~

~~(g)(f)~~ in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access for people with disabilities in accordance with AS1428, ~~Code of Practice for Design Rules for Access by the Disabled~~ – Design for Access and Mobility (or as further amended) and ensure that there are an appropriate number of hand wash basins available for personal hygiene purposes;

~~(h)(g)~~ ensure every shower or bath is installed:

- (i) with separate drainage points for the discharge of water into the drainage system; and
- (ii) in a separate compartment or cubicle which is constructed so as to ensure privacy; and

~~(i)(h)~~ ensure all sanitary facilities are constructed so as to ensure privacy and are kept and maintained in way that ensures privacy.;

~~(j)~~ ~~separate ablution facilities for each gender are to be provided and maintained in the ratio of 1 shower or bath and hand basin to every 15 sites; and~~

~~(k)~~ ~~ensure every outlet within the camping ground that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”.~~

9 Conditions that will ordinarily be imposed on a permit

- (1) ~~The following type of conditions will ordinarily be imposed on permits where applicable, in the opinion of an authorised person.~~ Where applicable in the authorised person's opinion, the following types of conditions will ordinarily be imposed on a permit for all prescribed activities under this local law which require the permit holder to:
- (a) keep and maintain buffer zones between accommodation sites and roads, external boundaries, or facilities ~~on the development~~;
 - (b) provide, keep and maintain overhead and internal lighting within the premises ~~in the development~~ for specified hours;
 - ~~(b)(c)~~ (c) provide, keep and maintain a secure, lockable storage area for the purpose of storing occupants' packs and luggage;
 - ~~(e)(d)~~ (d) maintain the site in such a manner so as not to inhibit the access, egress and transit ~~through the development of~~ by the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures;
 - ~~(d)(e)~~ (e) take out insurance in the name of the permit holder and local government to an amount commensurate with the risks involved in the activity for local government owned premises, take out and maintain public liability insurance nominating the local government as an interested party in an amount of at least \$20 million;
 - ~~(e)(f)~~ (f) for local government owned premises, provide and maintain security to the local government by way of bond bank guarantee or otherwise to secure performance of the conditions of the permit;
 - (g) provide an on-site manager, who is available during operating hours and is a point of contact for any emergency at all times the development is operating, and have provision for emergency contact; and
 - ~~(f)(h)~~ (h) except for a local government free camping ground and guest houses and boarding houses managed by off-site personnel, establish and maintain a clearly designated office; and
 - (i) for shared facilities accommodation, provide, keep and maintain the following kitchen facilities to enable occupants to prepare a substantial meal:
 - (i) one hand wash basin with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator space which is sufficient to meet the reasonable needs of the maximum potential number of occupants;
 - (iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants; and

(iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants.

- ~~(2) For shared facilities accommodation only, the following type of conditions will ordinarily also be imposed on permits where applicable, in the opinion of an authorised person:~~
- ~~(a) ensure that no cooking or facilities for cooking are allowed in any bedroom;~~
 - ~~(b) ensure that sleeping bags are not used to sleep on any bed;~~
 - ~~(c) provide and maintain a secure, lockable storage area for the purpose of storing occupants' packs and luggage;~~
 - ~~(d) ensure that in any bunk, the distance between the surface of:
 - ~~(i) the lower bed and the base of the upper bed is at least 87cm; and~~
 - ~~(ii) the upper bed and the ceiling is at least 100cm;~~~~
 - ~~(e) provide and maintain adequate under cover dining room seating for a minimum of 25% of the maximum potential number of occupants;~~
 - ~~(f) towels and bed linen supplied shall be replaced with clean towels and bed linen before a change of occupancy, or replaced every third day thereafter until occupancy has ceased; and~~
 - ~~(g) provide and maintain the following kitchen facilities to enable occupants to prepare a substantial meal:
 - ~~(i) one hand wash basin with hot and cold water delivered through a common outlet in each kitchen;~~
 - ~~(ii) refrigerator space which is sufficient to meet the reasonable needs of the maximum potential number of occupants;~~
 - ~~(iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants; and~~
 - ~~(iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants.~~~~

CERTIFICATION

~~This and the preceding 9 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 6 (Camping Grounds, Caravan Parks, and Shared Facilities Accommodation) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo~~

~~Chief Executive Officer~~

~~Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 7
(Human Remains and Cemeteries) 2016**

Current as at ~~1~~ [March 2016](#)

Cairns Regional Council

Local Law No. 7 (Human Remains and Cemeteries) 2016

Contents

Part 1 Preliminary.....	<u>331</u>
1 Short title.....	<u>331</u>
2 Purposes and how they are to be achieved	<u>331</u>
3 Relationship with other laws.....	<u>331</u>
Part 2 Disturbance of human remains buried or placed outside a cemetery	<u>331</u>
4 Prescribed activity	<u>331</u>
5 Activities that do not require approval	<u>331</u>
6 Additional criteria for the granting of a permit.....	<u>331</u>
7 Conditions that must be imposed a permit	<u>442</u>
8 Conditions that will ordinarily be imposed on a permit	<u>442</u>
9 Spillage of waste, contaminant or other material.....	<u>442</u>
Part 3 Burial or placement of human remains outside a cemetery	<u>553</u>
10 Prescribed activity.....	<u>553</u>
11 Activities that do not require approval	<u>553</u>
12 Additional criteria for the granting of a permit	<u>553</u>
13 Conditions that must be imposed on permits	<u>653</u>
14 Conditions that will ordinarily be imposed on permits	<u>664</u>
Part 4 Disturbance of human remains in a cemetery	<u>764</u>
15 Prescribed activity.....	<u>764</u>
16 Activities that do not require approval	<u>764</u>
17 Additional criteria for the granting of a permit	<u>764</u>
18 Conditions that must be imposed on permits	<u>875</u>
19 Conditions that will ordinarily be imposed on permits	<u>875</u>
Part 5 Burial or placement of human remains in a cemetery.....	<u>985</u>
20 Prescribed activity.....	<u>985</u>
21 Activities that do not require a permit.....	<u>985</u>
22 Additional criteria for the granting of a permit	<u>985</u>
23 Conditions that must be imposed on permits	<u>1086</u>
24 Conditions that will ordinarily be imposed on permits	<u>1196</u>

Part 6	Erection of a memorial, vault or columbarium.....	<u>1297</u>
25	Prescribed activity.....	<u>1297</u>
26	Activities that do not require a permit.....	<u>12407</u>
27	Additional criteria for the granting of a permit	<u>12407</u>
28	Conditions that must be imposed on permits	<u>12407</u>
29	Conditions that will ordinarily be imposed on permits	<u>13418</u>
Part 7	Local government cemeteries.....	<u>13418</u>
30	Application of this part.....	<u>13418</u>
31	Preparation of graves by local government.....	<u>13418</u>
32	Transport of body.....	<u>14418</u>
33	Funerals to be conducted by a funeral director.....	<u>14418</u>
34	Records to be maintained	<u>14429</u>
35	Closure	<u>17429</u>
36	Maintenance	<u>17429</u>
37	Repairs or removal by local government.....	<u>17429</u>
38	Conduct in a local government cemetery.....	<u>184340</u>
39	Removal of persons	<u>184340</u>

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 7 (Human Remains and Cemeteries) 2016*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to regulate the appropriate treatment of human remains in an befittingappropriate and respectful way.
- (2) The purpose will be achieved by regulating the handling of human remains through permits which can be conditioned to require befitting the appropriate and respectful treatment of human remains.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- (b) made under the powers in Chapter 3 of the LGA; and
- (c) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.

Part 2 Disturbance of human remains buried or placed outside a local government cemetery

4 Prescribed activity

- (1) Disturbance of human remains buried or placed outside of a local government cemetery is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government in accordance with the requirements on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

5 Activities that do not require approval

Nil.

6 Additional criteria for the granting of a permit

The following criteria must be considered for the granting of a permit:

- (a) whether the human remains have been buried for not more than three (3) days or not less than twelve (12) months;
- (b) whether the applicant has obtained the written agreement of the owner, and anyone else with a registered interest in, the land on which the remains are buried;
- (c) a written statement of the reasons for the proposed disturbance;
- (d) the expressed wishes of the deceased and the deceased's family; and

- (e) a written statement of how and when the remains are proposed to be disturbed.

7 Conditions that must be imposed on a permit

The following types of conditions must be imposed on a permit:

- (a) The disturbance of the human remains that have been interred outside of a local government cemetery must only be carried out by a recognised undertaker funeral director; and
- ~~(b) The permit must:~~
- ~~(e)(b)~~ stipulate the day on which the disturbance of human remains must be performed; and
- ~~(d)(c)~~ stipulate the hours ~~between~~ which the disturbance of human remains must be performed.

8 Conditions that will ordinarily be imposed on a permit

The following types of conditions will ordinarily be imposed on a permit where applicable ~~requiring the permit holder, its contractors or agents to:~~

- (a) give notice to the local government prior of to the disturbance of human remains to enable an authorised person to enter the land and inspect the grave at any time either before or after the disturbance;
- (b) remove all markers or means of identification on or around the grave if the human remains are to be removed from the grave permanently and dispose of appropriately; and
- (c) provide the local government with confirmation of the disturbance of human remains within 14 days of the event and advise the local government of the findings of the disturbance of the human remains in a written report;-
- (d) clean up any spillage of waste, contaminate or other material immediately without hosing, sweeping or otherwise releasing the waste, contaminant or material into any stormwater system or other body of water;
- (e) take specific measures to prevent any harm to the health or safety of persons who may be involved in, or effected by, the carrying out of the prescribed activity; and
- ~~(e)(f)~~ prevent personal injury, property damage or loss of amenity resulting from the carrying out of the prescribed activity.

9 ~~Spillage of waste, contaminant or other material~~

- ~~(a) Any spillage of waste, contaminant or other material must:~~
 - ~~(i) be cleaned up immediately; and~~
 - ~~(ii) not be cleaned up by hosing, sweeping or otherwise releasing the waste, contaminant or material into any stormwater system or other waters.~~
- ~~(b) The permit holder must take specified measures to:~~

- ~~(i) prevent harm to the health or safety of persons who may be involved in, or effected by, the undertaking of the prescribed activity; and~~
- ~~(ii) prevent personal injury, property damage or loss of amenity resulting from the undertaking of the prescribed activity.~~

Part 3 Burial or disposal of human remains outside a local government cemetery

409 Prescribed activity

- (1) Burial or disposal of human remains outside a local government cemetery is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government in accordance with the requirements on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

4110 Activities that do not require approval

~~Nil. The following activities conducted outside of a local government cemetery does not require a permit:~~

- ~~(a) the scattering of ashes only; and~~
- ~~the placement of ashes.~~

~~*Note: the scattering of ashes does not include the inurnment of ashes.*~~

4211 Additional criteria for the granting of a permit

- (1) The following criteria must be considered in deciding whether or not to grant a permit:
 - (a) evidence of the identity of the deceased person and the applicant's relationship (if any) with the deceased;
 - (b) the expressed wishes of the deceased and the deceased's family;
 - (c) whether in the opinion of an authorised person there is a special family, personal or historical association between the deceased person and the place at which it is sought to bury the body of that person; ~~and~~
 - ~~(d) whether the applicant has obtained there is~~ written agreement of the owner, and anyone else with a registered interest in, the land on which the remains are to be buried ~~or; and place of disposal of the remains on the land.~~
 - ~~(d)(e)~~ a written statement of how and when the remains are proposed to be buried.
- (2) The following criteria may be considered in deciding whether or not to grant a permit:
 - ~~(a) a written statement of how and when the remains are proposed to be disposed of or buried; and~~

~~(b)~~(a) the nature of the ceremony (if any) to be conducted at the time of the burial.

4312 Conditions that must be imposed on permits

The following types of conditions must be imposed on a permit:

- (a) ~~The permit holder, its contractors or agents are required to~~ give notice to the local government ~~prior to of~~ the preparation of the grave to enable an authorised person to enter the land and inspect the grave before the burial; ~~and~~
- (b) minimum depth of graves required for either an adults and /or children;
- (c) minimum length and width of graves required for an adults and /or children;
- (d) minimum depth required between the top of a coffin and the surface of the ground;
- (e) minimum clearance required between the sides of a coffin and the sides of a grave;
- ~~(e)~~(f) the minimum preparation of the human remains required prior to burial which is to be performed by a funeral director who is appropriately qualified to undertake the preparation technique;
- ~~(f)~~(g) maximum number of ~~bodies~~ human remains which may be buried in a single grave, vault or mausoleum;
- ~~(g)~~(h) the name and contact details of the recognized funeral director ~~undertaker or other person~~ performing the burial ~~interment or inurnment~~;
- ~~(h)~~(i) the day on which the burial ~~or placement of ashes interment or inurnment~~ must be performed; ~~and~~
- (j) the hours between which the burial ~~interment or inurnment~~ must be performed; ~~and~~
- ~~(i)~~(k) supply the Global Positioning System (G.P.S) coordinates of the grave to the local government, so that the location and details of the deceased person can be placed on the local government's record for that property.

4413 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on a permit where applicable:

- ~~(a) the permit holder, its contractors or agents supply the Global Positioning System (G.P.S) coordinates of the grave to the local government, so that the details of the deceased person can be placed on the property record; and~~
- ~~(b)~~(a) the permit holder, its contractors or agents to erect a marker or means of identification on or around the grave and stipulate the information required to be recorded on it.

Part 4 Disturbance of human remains in a local government cemetery

4514 Prescribed activity

- (1) Disturbance of human remains in a local government cemetery is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government in accordance with the requirements on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

4615 Activities that do not require approval

Nil.

4716 Additional criteria for the granting of a permit

- (1) The following criteria ~~a~~ must be considered in deciding whether or not to grant a permit:
 - (a) a written statement outlining the reasons for the proposed disturbance;
 - (b) whether the human remains have been buried for not more than three (3) days or not less than twelve (12) months;
 - (c) whether the applicant:
 - (i) is the Burial Right Holder;
 - (ii) has obtained and provided to the local government the written permission from the Burial Right Holder in the form required by the local government; or;
 - (iii) if the Burial Right Holder has died or is unable to be contacted by the local government despite reasonable efforts by the applicant— by another person considered appropriate by the local government;

Example

A person may be considered an appropriate person by the local government under subsection (iii) where they can demonstrate their connection to the Burial Right Holder, either through an enduring power of attorney, as executor of the deceased's will or as the closest surviving family member.
 - (d) the condition of the gravesite and the surrounding area;
 - ~~(a)~~(e) a written statement outlining the qualifications and work experience of the funeral director who will be responsible for the disturbance of the human remains;
 - (f) whether any weather conditions or environmental impacts are likely to impact the activity and the proposed means to mitigate those likely impacts; and
 - ~~(b)~~(g) whether the human remains are to be relocated to another location within the cemetery that it is located in or whether the human remains are being relocated outside of the cemetery.

~~(2) The following criteria may be considered in deciding whether or not to grant a permit:~~

~~(a) a written statement of the reasons for the proposed disturbance.~~

4817 Conditions that must be imposed on permits

The following types of conditions must be imposed on a permit where applicable ~~requiring the permit holder, its contractors or agents to:~~

(a) ~~ensure that where the human remains are to be permanently removed from the grave, remove any monuments vaults and/or memorials on the existing grave are removed and disposed of appropriately in the opinion of an authorised person;~~

~~(b) ensure that the coffin, body, ashes or other remains exhumed and/or disinterred are removed under the supervision and to the satisfaction of the local government;~~

~~(c) ensure that only those persons approved by the local government are present for the disturbance of human remains;~~

~~(b)(d) permit the local government to postpone the disturbance of human remains due to weather conditions, for a health or safety matter reasons or any other circumstances which are considered necessary by the local government.~~

~~(e)(e) ensure that the grave is opened and closed by the local government; and~~

~~(d)(f) ensure that for exhumations, the exhumation is carried out by a recognised funeral director.~~

4918 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on a permit where applicable to:

(a) regulate the manner of preparation of the grave;

(b) stipulate the day on which the disturbance of human remains may be performed;

~~(c); and~~

~~(c) stipulate the hours between which the disturbance of human remains may be performed; and~~

~~(d) where the disturbance results in a permanent removal of the human remains from the burial sitegrave;~~

~~(i) -the burial grave and any previous rights for the site, reverts to the local government; and~~

~~(ii) no compensation or reimbursement of any previous fees paid to the local government will be given.~~

Part 5 Burial or disposal placement of human remains in a cemetery

2019 Prescribed activity

- (1) The B~~urial of human remains or inurnment, or inurnment placement of ash~~eshuman remains or the scattering of ashes in a local government cemetery ~~and the erection of a memorial vault or columbarium are~~is a category 1 prescribed activityies.
- ~~(1)~~(2) The erection of a memorial, vault or columbarium for the burial or disposal of human remains is a category 1 prescribed activity.
- ~~(2)~~(3) To obtain a permit under subsection (1) or (2), an application must be made to the local government in accordance with the requirements on the approved forms required under Local Law No. 1 (Administration) 2016 and this local law.

2120 Activities that do not require a permit

~~Nil~~ The following activities in a cemetery do not require a permit:

- (a) The scattering of ashes in an area within a cemetery designated for the purpose of scattering of ashes and only if 2 business days' notice is provided to the local government prior to the scattering of the ashes occurring.

Example

The local government may designate an area within a cemetery to allow the scattering of ashes by the erection of signage within the cemetery.

2221 Additional criteria for the granting of a permit

- (1) The following criteria must be considered in deciding whether or not to grant a permit:
- (a) evidence of the identity of the deceased person and the applicant's relationship (if any) with the deceased;
- (b) whether the applicant:
- (i) is the Burial Right Holder; or
- (ii) has obtained and provided to the local government the written permission from the Burial Right Holder; or
- (iii) if the Burial Right Holder has died or is unable to be contacted by the local government despite reasonable efforts by the applicant—by another person considered appropriate by the local government;
- ~~(a)~~(c) the relationship of the Burial Right Holder or the applicant to the deceased;
- ~~(b)~~(d) the date, time and duration of the interment or inurnment burial or placement of ashes;
- ~~(c)~~(e) the cemetery of burial or placement of ashes interment or inurnment;

- (f) the provision of an allocated plot;
 - (g) the location of the burial or placement of ashes within the local government cemetery;
 - ~~(e)~~(h) the condition of the surrounding area including any graves;
 - ~~(e)~~(i) for burials, the name and contact details of the ~~recognized undertaker~~ funeral director ~~responsible or other person performing for the ceremony~~funeral;
 - ~~(f)~~(j) a written statement ~~as outlining to~~ who will conduct the burial ~~or~~ inurnment;
 - (k) a written statement ~~as to details as to detailing~~ how the proposed burial of human remains, placement of ashes ~~inurnment~~ or erection of a memorial is to be undertaken; and
 - (l) where the burial of human remains is to be in an occupied gravesite, evidence that the further burial or placement of human remains will satisfy the local governmentary requirements in place for that gravesite.
- (2) The following criteria may be considered in deciding whether or not to grant a permit:
- a written statement outlining the qualifications and work experience of the funeral director who will be responsible for conducting the funeral or for the preparation of the human remains required prior to burial.

2322 Conditions that must be imposed on permits

The following types of conditions must be imposed on a permit where applicable:

- ~~(a)~~—minimum depth of graves required for either an adults and/or a child~~ren~~;
- (a)
- (b) minimum length and width of graves required for either an adults and/or a ~~and~~ ~~child~~~~ren~~;
- (c) minimum depth required between the top of a coffin and the surface of the ground;
- (d) minimum clearance required between the sides of a coffin and the sides of a grave;
- (e) maximum number of ~~bodies~~ human remains which may be buried in a single grave, mausoleum or niche;
- (f) the minimum standards and required dimensions of the coffin, casket or ashes receptacle to be used;
- ~~(e)~~(g) the minimum preparation of the human remains required prior to burial which is to be performed by a funeral director who is appropriately qualified to undertake the preparation technique;
- ~~(f)~~(h) the name and contact details of the ~~undertaker~~ funeral director or other person performing the burial or placement of ashes~~interment or inurnment~~;

- (i) the cemetery at which the burial of human remains or placement of ashes will occur~~of the interment or inurnment~~;
- ~~(g)~~(j) the time and place of the funeral;
- (k) the allocated plot for the burial or placement of ashes~~interment or inurnment~~;
- (l) the day on which the interment or inurnment~~burial or placement of ashes~~ must be performed;
- (m) the hours between which the interment or inurnment~~burial or placement of ashes~~ must be performed;
 - (i) —
contained in a coffin, casket or receptacle that is:
 - (A) is of sound construction with an identifying name plate;
 - (B) is clean and hygienic;
 - (C) is constructed of wood, metal or other substantial material;
and
 - (D) from which neither offensive or noxious emissions nor matter from those bodily human remains or body parts will escape.
- (n) the Burial Right Holder:
 - (i) -must ensure that their contact details recorded with the local government are kept up to date;
 - (ii) is not permitted to sell the burial rights to any other person, but may transfer those rights on payment of the required fee and with the written approval of the local government; and
 - (iii) acknowledges that the burial right granted will cease and revert to Council if enquiries by the local government reveal that following the death of the Burial Right Holder is deceased or if the Burial Right Holder is otherwise not able to be contacted after reasonable efforts to do so by the local government after reasonable efforts to do so; and
- (o) the funeral director responsible for the burial, placement of ashes and any associated ceremony must ensure that all attendees comply with the requirements determined by the local government for the cemetery in which the burial or placement of ashes is to occur.

2423 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on a permit where applicable:

- ~~(a)~~ the time and place of the service;
- ~~(b)~~(a) the arrival time and departure times at the cemetery for the funeral; and
- ~~(c)~~ the dimensions of the coffin, casket or ashes receptacle;
- ~~(d)~~ the specifications of the proposed memorial;

- (b) ashes or other remains must not be placed in a columbarium or vault unless contained in a sealed coffin, casket or receptacle; and
- (c) restrictions on the placing of flowers, ~~or other adornments or~~ memorials on the graves ~~or memorials.~~

Part 6 Erection of a memorial, vault or columbarium

2524 Prescribed activity

- (1) The erection of a memorial, vault or columbarium in a local government cemetery is a category 1 prescribed activity.
- (2) To obtain a permit an application must be made to the local government in accordance with the requirements on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

2625 Activities that do not require a permit

Nil.

2726 Additional criteria for the granting of a permit

The following criteria must be considered in deciding whether or not to grant a permit:

- (a) whether the applicant:
 - (i) is the Burial Right Holder;
 - (ii) has obtained and provided to the local government the written permission from the Burial Right Holder in the form required by the local government; or
 - (iii) if the Burial Right Holder has died or is unable to be contacted by the local government despite reasonable efforts by the applicant—by another person considered appropriate by the local government;

Example

A person may be considered an appropriate person by the local government under (iii) where they can demonstrate their connection to the Burial Right Holder, either through an enduring power of attorney, as executor of the deceased's will or as the closest surviving family member.

- (a)(b) the construction details of any memorial, vault or columbarium to be erected;
- (c) the proposed location of the memorial, vault or columbarium;
- (b)(d) whether the memorial, vault or columbarium complies with the specific requirements of the local government;
- (e)(e) details of the finish proposed to any memorial, vault or columbarium, including wording to be used ~~and evidence of the applicant's relationship (if any) with the deceased;~~ and
- (e)(f) for a memorial, whether the ashes or other human remains are placed in a columbarium, vault or grave.

2827 Conditions that must be imposed on permits

The following types of conditions must be imposed on a permit where applicable:

- (a) ~~whether approval of~~ the design and materials of construction of the memorial, vault or columbarium will comply with any standards of the local government (as a separate approval to any approval required under the *Building Act 1975* or any other law);
- ~~(a)(b)~~ the memorial, vault or columbarium headstones, monuments and above ground burial structures must comply with the relevant Australian Standard for Headstones and Cemetery Monuments and Above Ground Burial Structures s as well as any other applicable standards adopted by the local government;
- ~~(b)(c)~~ the maintenance, and repair and preservation of the memorial, vault or columbarium is the responsibility of the Burial Right Holder or another person given authority by the Burial Right Holder by a person other than the local government;
- ~~(e)(d)~~ any inscription plate on a memorial, plaque, vault or columbarium to be erected in a cemetery must:
 - (i) be of uniform quality and construction as prescribed by the local government; and
 - (ii) not be offensive, derogatory or discriminatory in the opinion of the local government; and not be offensive, derogatory or discriminatory in the opinion of the local government; and be supplied by the local government on payment of the prescribed fee; and
- ~~(e)(e)~~ the demolition and removal of the memorial, vault or columbarium will be required by the local government if it is not erected or constructed in accordance with the conditions of the approval or if it has fallen into a state of disrepair or is no longer in good order.

2928 Conditions that will ordinarily be imposed on permits

The following types of conditions will ordinarily be imposed on a permit where applicable:

- (a) ashes or other remains must not be placed in a columbarium or vault ~~or grave~~ unless contained in a sealed coffin, casket or receptacle; and
- ~~(b)~~ ashes or other remains in a columbarium, or vault or grave must have a memorial identifying the deceased affixed to, or adjacent to, the niche in which they are placed; and
- ~~(e)(b)~~ the restrictions on the placing of flowers and tokens or other adornments on graves or memorials including the prohibition of artificial flowers.

Part 7 Management of Local government cemeteries

3029 Application of this part

This part applies to all local government cemeteries.

3130 ~~Preparation of graves~~ by local government

- (1) When an application under section ~~20~~19 has been approved, the local government ~~must~~will use its best endeavours to have the required grave~~site dug, ashes niche columbarium, vault or mausoleum~~ and available for use at the required time.
- (2) Notwithstanding subsection (1), the local government may, at the time of receipt of the application or at any later time, including after approval has been granted, advise the ~~person responsible~~applicant that, ~~by reason due to~~of weather, ground condition, difficulty of excavation, safety issue or any other reason:
 - (a) ~~The grave site, columbarium, vault or mausoleum~~ will not be ready until a later ~~hour~~time in the day proposed for the interment or inurnment ~~burial~~ or the following next available business a day later than ~~that the day~~ proposed for the burial interment or inurnment; or
 - (b) the interment or inurnment~~burial~~ must take place in another grave~~site, columbarium ashes niche, vault or plot~~ mausoleum or at another local government cemetery.

3231 Transport of body

A person must not bring human remains a body into a local government cemetery for the purpose of burial unless it is the human remains are:

- (a) brought in for the purpose of burial pursuant to an approval under this local law; and
- (b) contained in a coffin, casket or receptacle that:
 - (i) is of sound construction with an identifying name plate;
 - (ii) is clean and hygienic;
 - (iii) is constructed of wood, metal or other substantial material; and
 - (+)(iv) from which neither offensive or noxious emissions nor matter from those human remains will escape.

3332 Funerals to be conducted by a funeral director

- (1) All funerals in a cemetery must be conducted by a funeral director or as stated in a permit.
- (2) The next of kin or legal personal representative of the deceased must ensure that subsection (1) is complied with.
- (2)(3) The funeral director engaged to conduct the funeral, placement of ashes or any other ceremony must ensure that the attendees comply with the requirements determined by the local government for the cemetery in which the burial or placement of human remains occurs.

33 Purchase of burial rights

- (1) A person may apply to the local government to purchase the burial rights for a grave, mausoleum site or columbarium site within a local government cemetery to be set aside for future use of the person or other nominated person.
- (2) An application under sub-section (1) must be:

- (a) made in the approved form,
 - (b) provide the required information stipulated by the local government; and
 - (c) be accompanied by payment of the prescribed fee.
- (3) The local government may grant an application only if satisfied that:
 - (a) the application complies with subsection (2);
 - (b) the application is signed by the person who is applying to obtain the burial right; and
 - (c) there are sufficient vacant sites set aside for interments and/or inurnments available in the local government cemetery as determined by the local government.
- (4) On approval granted by the local government under subsection (3), the applicant will be granted the future burial right as the Burial Right Holder for the site on the conditions the local government considers appropriate, including the following conditions:
 - (a) the Burial Right Holder will have the right to be interred or inurned in the specified site as stated in the approval (“**the approved site**”) for a period of up to 25 years from the date the approval is given;
 - (b) the Burial Right Holder will have the right to authorise the interment or inurnment of others within the approved site, provided it does not exceed the number of burials or inurnment of ashes that are permitted for the site, for a period of up to 25 years from the date the approval is given;
 - (c) the Burial Right Holder will have the right to make application under Part 6 of this Local Law to erect a memorial over the approved site for another person interred or inurned in the site;
 - (d) the Burial Right Holder must ensure that their contact details provided to the local government are kept up to date at all times;
 - (e) the approval for the burial rights does not entitle the Burial Right Holder to:
 - (i) sell the burial rights to any other person; or
 - (ii) transfer the burial rights to another site within the cemetery without the local government’s approval;
 - (f) the burial rights held by the Burial Right Holder under the approval will be automatically revoked and the approved site, will revert to the local government if:
 - (i) the Burial Right Holder has died and, within 1 month of the Burial Right Holder’s death, no human remains have been interred or inurned in the approved site; or
 - (ii) the period of 25 years from the date the approval is given has expired; and
 - (A) no human remains have been interred or inurned in the approved site; or

- (B) the Burial Right Holder has not made a further application to the local government under subsection (2) requesting a further purchase of the burial rights for the approved site; and
 - (g) any reversion to the local government under subsection (4)(f) is absolute and will not give rise to any claim or payment of any compensation to the Burial Right Holder or any other person claiming on behalf of the Burial Right Holder.
- (5) The Burial Right Holder may:
- (a) surrender their approval given under subsection (3) and return the approved site back to the local government at any time;
 - (i) for a fee determined by the local government; and
 - (ii) any refund paid may be no more than the amount the Burial Right Holder originally paid for the burial rights, in the local government's absolute discretion.
- (6) Where the local government has granted burial rights to a person for a grave, mausoleum site or columbarium site within a local government cemetery prior to the commencement of this section, the approved Burial Right Holder is taken to have an approval under subsection (3) for 25 years.
- (7) For an existing Burial Right Holder that obtained an approval from the local government more than 25 years prior to the commencement of this section, the rights held by the Burial Right Holder will be automatically revoked and the approved site, will revert to the local government if:
- (a) no human remains have been interred or inurned in the approved site; and
 - (b) the local government provides reasonable written notice to the Burial Right Holder; and
 - (c) the Burial Right Holder has not responded to the local government in the timeframe specified in the written notice.
- (8) If, in response to the local government's reasonable written notice issued under subsection (7)(b), a Burial Right Holder responds to the local government within the timeframe specified in the written notice, the response is taken to be an application for the purposes of subsection (3).
- (9) ***Reasonable written notice*** in subsection (6) means:
- (a) if the local government has a current contact address for the Burial Right Holder, written correspondence sent to the Burial Right Holder at that address; or
 - (b) where no current contact address is held by the local government, by publishing a public notice in a newspaper circulating generally in the local government area and on the local government's website.

34 Records to be maintained

- (1) In respect of every cemetery, there must be made and retained by the local government, records to the extent that is possible, of:

- (a) the names of all deceased persons buried or whose ashes or other human remains are interred-buried or placed in the cemetery;
 - (b) the date of intermentburial or placement of human remains;
 - (c) the specific place of burial or placement within the cemetery; and
 - (d) any dealings concerning the body, ashes or other human remains of the deceased person after interment-burial or placement including disinterment-exhumation.
- (2) Records made and retained pursuant to subsection (1) must:
- (a) not be destroyed or otherwise disposed of without the written approval of the local government;
 - ~~(b)~~ be kept at:
 - ~~(c)~~ some part of the cemetery to which they relate; or
 - ~~(d)~~(b) another -specified place approved by the local government; and
 - ~~(e)~~(c) be open to inspection by the public upon payment of a prescribed fee at all times when the place at which the records are kept is attended by some person open to the public.
- ~~(3) The owner of land used as a cemetery (other than a local government cemetery) must ensure that this section is complied with.~~
- ~~Maximum penalty for section 34—50 penalty units.~~

35 Closure

The local government may close a local government cemetery to further burials or to the further placement of ~~further~~ ashes at any time.

36 Maintenance

The local government may maintain a local government cemetery including all graves and memorials therein in such a manner and to such extent as it ~~thinks~~ deems appropriate.

37 Repairs or removal by local government

- (1) The local government may repair or remove any grave, ~~or~~ memorial or adornment:
- (a) if the repair or removal is necessary for the purpose of public health or safety in the opinion of an authorised person;
 - (b) which in the opinion of ~~the local government~~ an authorised person is in a state of disrepair; ~~or~~
 - ~~(c)~~ which in the case of a memorial has been placed on the wrong grave site; or
 - ~~(d)~~ which has been installed or placed in way that contravenes an approval from the local government; or
 - ~~(e)~~(e) in the case of a memorial or adornment, if it has been placed on the grave in a way that does not comply with a written policy of the local government.

- (2) The local government:
- (a) is not required to, but may replace or reinstate a grave or memorial dealt with under subsection (1), including the placement of the memorial on the correct grave site; and
 - (b) if there is no immediate danger to the public, the local government must, before removal of a memorial under subsection (1), give reasonable notice of its intention to remove the memorial to a members of the deceased's family whose identity and whereabouts contact details are ~~known to the~~ contained within the local government's records.

38 Conduct in a local government cemetery

- (1) An authorised person may give a reasonable direction, either verbally or in writing, to a A-person in a local government cemetery ~~must comply with a reasonable direction given by the local government.~~
- (2) Failure to comply with a direction given by an authorised person under subsection (1) is an offence.
- Maximum penalty ~~for subsection (1)~~ 20 penalty units.

39 Removal of persons

- (1) An authorised person may verbally direct any person found committing an offence against this local law to leave a local government cemetery ~~forthwith~~ immediately.
- (2) Failure to comply with a direction given under subsection (1) is an offence.
Maximum penalty—~~for subsection (1)~~ 20 penalty units.

Part 8 Other cemeteries

40 Application of this part

This part applies to all cemeteries except for local government cemeteries.

41 Records to be maintained

- (1) In respect of every cemetery, there must be made and retained, records to the extent that is possible of:
- (a) the names of all deceased persons buried or whose ashes are buried or placed in the cemetery;
 - (b) the date of burial or placement of human remains;
 - (c) the specific place of burial or placement within the cemetery; and
 - (d) any dealings concerning the body, ashes or other remains of the deceased person after burial or placement including exhumation.
- (2) Records made and retained pursuant to subsection (1) must:
- (a) not be destroyed or otherwise disposed of without the written approval of the local government;
 - (b) be kept at a specified place approved by the local government; and

(c) be open to inspection by the public upon application at the place at which the records are kept.

(3) The owner of land used as a cemetery must ensure that this section is complied with.

Maximum penalty — ~~for section 38~~ 50 penalty units.

CERTIFICATION

~~This and the preceding 10 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 7 (Human Remains and Cemeteries) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

Peter Tabulo
Chief Executive Officer
Cairns Regional Council



**Cairns Regional Council
Local Law No. 8 (Swimming Pools) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council

Local Law No. 8 (Swimming Pools) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purposes and how they are to be achieved	1
3 Relationship with other laws.....	1
Part 2 Control of swimming pools.....	1
4 Application.....	1
5 Power to inspect.....	2
6 Compliance Notice to operator of swimming pool	2
7 Standards of swimming pool	2

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 8 (Swimming Pools) 2016*.

2 Purposes and how they are to be achieved

(1) The purposes of this local law are:

- (a) to enable the local government to regulate swimming pools for public health and safety;
- (b) to ensure that swimming pools comply with essential standards of health and safety; and
- (c) to ensure that swimming public pools are properly managed and supervised.

(2) The purposes are to be achieved by:

- (a) providing for the elimination or reduction of risk and threats to bathers or those using a swimming pool by supervision; and
- (b) making it an offence to operate a swimming pool in contravention of this local law.

3 Relationship with other laws

This local law is:

- (a) in addition to and does not derogate from laws for swimming pools;
- (b) to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws; and
- (c) made under the Chapter 3 of the LGA.

Part 2 Control of swimming pools

4 Application

This local law does not apply to a swimming pool if the swimming pool is:

- (a) on a local government controlled area;
- (b) a State swimming pool;
- (c) a swimming pool made available by a body corporate of a community titles scheme for use by the owners or occupiers of the lots of the scheme or their invitees;
- (d) on shared facilities accommodation premises where the operation of which is approved under a permit to operate shared facilities accommodation;

- (e) on hotel, motel or resort premises; or
- (f) not otherwise covered by the definition of 'swimming pool' in *Local Law No 1 (Administration) 2016*.

5 Power to inspect

- (1) This section applies if an authorised person wants to enter a property with a swimming pool to inspect.
- (2) After giving reasonable written notice to the owner and the operator of the swimming pool, the authorised person may:
 - (a) enter the property without the permission of the operator of the swimming pool; and
 - (b) take reasonable action to assess the swimming pool and associated equipment. This may include taking samples of water from a swimming pool.
- (3) However, the authorised person:
 - (a) must, as soon as the authorised person enters the property, inform any operator of the swimming pool of the property:
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property without the permission of the operator of the swimming pool;
- (4) Nothing in this section removes the powers of the local government to enter properties under the LGA.

6 Compliance Notice to operator of swimming pool

- (1) An authorised person may, by compliance notice given to the operator of a swimming pool, require the operator of a swimming pool to take specified action to control the swimming pool.
- (2) The specified action may include:
 - (a) empty and clean the swimming pool;
 - (b) filter, chlorinate or otherwise treat the water in the swimming pool; and
 - (c) any other action that is reasonable to eliminate or reduce risk and threats to bathers or those using a swimming pool.

7 Standards of swimming pool

- (1) An operator of a swimming pool must:
 - (a) comply with [the Queensland Health's Water Quality Guidelines for Public Aquatic Facilities chemical and microbiological criteria](#) ~~Queensland~~

~~Health Swimming and Spa Pool Water Quality Guidelines 2004~~ minimum chemical criteria;

~~(b)~~ comply with Queensland Health's Water Quality Guidelines for Public Aquatic Facilities incident response procedures or equivalent;

~~(b)(c)~~ provide dressing rooms, toilets, showers and handwashing facilities for showering and sanitation;

~~(e)(d)~~ conduct regular testing of the pool water to ensure that chemical and microbiological criteria contaminants are kept within acceptable levels;

~~(e)~~ keep appropriate records of water testing, treatment, chlorination, filtration and recirculation of swimming pool water and make them available for Council officersto the local government upon requestto inspect;

~~(d)(f)~~ maintain swimming pool equipment and facilities in good working condition;

~~(e)(g)~~ provide appropriate equipment for emergency medical treatment, and first aid and rescue of persons in difficulty; and

~~(f)(h)~~ require the attendance at and supervision of the swimming pool at all times or at specified times by a person with appropriate qualifications and experience.

(2) It is an offence for an operator of a swimming pool, not to comply with these standards.

Maximum penalty ~~for subsection (2)~~—50 penalty units.

CERTIFICATION

~~This and the preceding 3 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 8 (Swimming Pools) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo
Chief Executive Officer
Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 9 (Temporary Entertainment Events) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council

Local Law No. 9 (Temporary Entertainment Events) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purposes and how they are to be achieved	1
3 Relationship with other laws.....	1
Part 2 Prescribed activity.....	1
4 Prescribed activity	1
5 Activities that do not require a permit under the authorising local law.....	224
6 Applications.....	444
7 Additional criteria for the granting of a permit.....	672
8 Conditions that must be imposed on a permit	893
9 Conditions that will ordinarily be imposed on a permit	11413
Part 3 Requirements for minor temporary entertainment events under 100 people	13435
10 Requirements for minor temporary entertainment events under 100 people	13435

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 9 (Temporary Entertainment Events) 2016*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to enable the local government to ~~prevent or~~ regulate the operation of temporary entertainment events:
 - (a) to ensure the risks associated with temporary entertainment events are appropriately managed and reasonably mitigated;
 - (b) to ensure the health, safety and amenity of all persons attending the temporary entertainment event and the community; and
 - (c) to protect the environment and prevent environmental harm.
- (2) The purpose is to be achieved by making it an offence to ~~organise or participate~~undertake in a temporary entertainment event without a permit and to provide for an application and permit process, unless an exemption applies.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- (b) made under the Chapter 3 of the LGA and section 66 of the TORUM Act where on a road; and
- (c) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.

Part 2 Prescribed activity

4 Prescribed activity

- (1) Conducting ~~any a~~ temporary entertainment event, except a small event, is a category 1 prescribed activity.
- (2) To obtain a permit for a temporary entertainment event, a properly made application must be made to the local government on the approved form required under Local Law No. 1 (Administration) 2016 and this local law.
- (3) To obtain a permit for a small event, the responsible person for the temporary entertainment event must apply pursuant to Part 3 of this local law.
- (4) To obtain a permit for a large event, the responsible person for the temporary entertainment event must apply pursuant to Part 4 of this local law.
- (5) ~~A p~~Permits granted for a temporary entertainment event is ~~are~~ non-transferable ~~permits~~.

5 Activities that do not require a permit under the authorising local law

An event that:

- ~~(a) is conducted by community or charity organisations; or~~
- ~~(b) a private individual;~~
- and
- ~~(c) is not conducted as or part of a commercial undertaking;~~
- ~~(d) involves less than 100 people attending the event; and~~
- ~~(e) complies with the requirements of Part 3.~~

(1) A temporary entertainment event that does not require a permit under the authorising local law is:

- (a) an event that:
 - (i) involves less than 100 people attending the event; and
 - (ii) there is no assessable risk in relation to the event; or
- (b) an exempt event.

(2) An **assessable risk** is one or more of the following activities that will occur as part of the event:

- (a) a motorsport activity that includes motor vehicles, motor bikes, trucks and similar vehicles where noise, smoke, odour, light or other emissions associated with the activity will occur, but excludes a car show, exhibition or display of cars where noise is not associated with the exhibition or display;
- (b) the use of firearms, excluding a gel blaster, replica firearm or antique firearm, and any firearm lawfully required by police or military personnel;
- (c) rodeo, bull riding, circus or stunt show;
- (d) the event, or part of the event, will occur between the hours of 10pm and 7am on any day, excluding bump in and bump out times;
- (e) an event that occurs over more than one (1) day (“a multiple day event”), excluding bump in and bump out times;
- (f) camping activities; or
- (g) the use of temporary structures which are required to be assessed or installed by a qualified person.

Examples for paragraph (g):

Circus tents, amusement rides or the erection of a stage that requires a building approval or engineer’s certification.

(3) An **exempt event** for the purposes of subsection (1)(b) means a temporary entertainment event that does not require an approval under this local law and is:

- (a) any temporary entertainment event conducted by or on behalf of the local government;

(b) any temporary entertainment event conducted by a school or university, or representative body of the school or university, within the grounds of the school or university;

Example

The parent and friends association of a school may be considered a representative body of a school.

(c) any event conducted at premises approved by the local government pursuant to a development permit:

(i) that lawfully authorises the use of the premises for the type of event to be held; and

(ii) any assessable risk for the event is conditioned within the development permit;

(d) any temporary entertainment event that occurs subject to a separate approval or express written agreement by the local government, other than a development approval or grant given by the local government, and is consistent with the permitted purpose of the approval or agreement;

(e) a private gathering; or

(f) any temporary entertainment event conducted wholly within an indoor facility of the Cairns Showgrounds.

(4) A **private gathering** for the purposes of subsection (3)(e), is an event or occasion undertaken on private property or local government controlled area **and road** where:

(a) the event is not publicly advertised;

(b) the event is not open to the public; and

(c) attendance at the event is restricted to personal invitation by the event's host.

6 Activities that require a permit under the authorising local law

(1) An approval is required under this local law for any temporary entertainment event that is not an exempt event and is either:

(a) A **small event** that:

(i) involves between 100 and 1,000 people attending the event; and

(ii) there is no assessable risk in relation to the event; or

(b) A **large event** that:

(i) involves more than 1,000 people attending the event; or

(ii) an assessable risk in relation to the event.

(2) For the purposes of subsection (1), attending the event means the number of people that it is anticipated will attend the event throughout the period for which the event is to be held.

Part 3 Requirements for small temporary entertainment event

7 Requirements for small temporary entertainment event

- (1) An event specified in section 4(3) of this local law, is a temporary entertainment event that must comply with this Part.
- (2) The responsible person for the temporary entertainment event, must:
 - (a) make a properly made application under this local law on the approved form required by the local government at least thirty (30) days prior to the proposed event commencing;
 - (b) ensure the application submitted contains all of the information and details requested by the local government, including but not limited to:
 - (i) the type of event that is proposed to be undertaken;
 - (ii) the location of the proposed event;
 - (iii) the duration of the event, including the hours the event will be open to the public and the bump in and bump out times for the event;
 - (iv) the expected number of people anticipated to attend the event for:
 - (A) the total duration of the event; and
 - (B) expected maximum number of people at any one time;
 - (v) the address, telephone number and email address of the responsible person for the event;
 - (vi) any food licence or notification that is required for food related activities as part of the event, must be obtained prior to the event occurring; and
 - (vii) if the event is held on a local government controlled area or road, provide a copy of the public liability insurance for the event, held by the event organiser or responsible person, in the amount of \$20 million, or as otherwise required, with the local government noted as an interested party.
- (3) If the proposed event does not comply with this Part, then the proposed event cannot proceed and a permit for a large event must be obtained under Part 4.

8 Conditions that may be imposed on a permit for a small temporary entertainment event

- (1) The following types of conditions are conditions that may be imposed on a permit for a small temporary entertainment event, requiring the permit holder to:
 - (a) conduct the event only during the hours and dates approved by the local government and stated in the permit;
 - (b) implement control measures required to mitigate noise, dust, light, odour and/or vibration impacts from the event that may affect the use and enjoyment of land or interfere with the amenity of an area outside of the event location;

- (c) use the venue for the activity stated in the permit and for no other unapproved activity;
- (d) ensure appropriate arrangements for the collection and disposal of any refuse generated during the operation of the event;
- (e) provide a specified number and type of toilets and sanitary conveniences **to be provided** at the venue for the duration of the event;
- (f) ensure that all toilets are maintained in a sanitary state during the event to the satisfaction of an authorised person;
- (g) if the event is held on a local government controlled area or road, maintain public liability insurance for the event for at least \$20 million, noting the local government as an interested party;
- (h) ensure that all licensable food businesses at the event have a current licence to carry on the business and only conduct licensable food handling activities at the premises stated in the licence;
- (i) provide a copy of the permit for inspection by an authorised person if requested; and
- (j) allow an authorised person to enter and inspect the event and its activities at any time prior to, during or after the operation of the event to ensure compliance with permit conditions.

Part 4 Requirements for large temporary entertainment events

9 Requirements for large temporary entertainment event

- (1) An event specified in section 4(4) of this local law, is a temporary entertainment event that must comply with this Part.
- (2) The responsible person for the temporary entertainment event, must make a properly made application under this local law on the approved form required by the local government at least thirty (30) days prior to the proposed event commencing;
- (3) An application made under subsection (2) must include or be accompanied by—
 - (a) a detailed statement of the activities to be conducted during the event, including;
 - (i) the proposed dates and hours that the event will be open to the public, including the proposed dates and hours for the bump in and bump out times for the event;
 - (ii) a timeline of activities to be conducted as part of the event;
 - (iii) the expected number of people anticipated to attend the event:
 - (A) for the total duration of the event;
 - (B) per day of the event; and
 - (C) at any one time over the course of the event; **and**

- (b) a plan of the location of the event which details:
 - (i) the buildings and site layout, including any structural details such as temporary structures; and
 - (ii) the sanitary conveniences and waste disposal facilities proposed to be provided for the event considering the event type, the duration of the event and the number of attendees and staff;
- (c) a plan which outlines the nominated person to be responsible for ensuring compliance with the event requirements imposed under this local law, to handle complaints received by the general public and to liaise with the local government as required;
- ~~— an event risk assessment and event risk management plan;~~
- (d) if the applicant is not the owner or occupier of the land upon which is the event is to take place, the written consent of the owner of the land or an appropriate person who is exercising control or management of the land;
- (e) if any approval is required in relation to the event under any law, evidence of that relevant approval; and
- (f) a certificate of currency for public liability insurance for the event in the amount of at least \$20 million or another amount as agreed by the local government, and if the event is to be held on a local government controlled area or road, nominating the local government as an interested party.

10 Documents and materials that may accompany application for approval

- (1) An application for an approval under this Part may, within the timeframe stipulated by the local government, also include or be accompanied by:
 - (a) an Event Management Plan that incorporates the identification and management of all risks that are reasonably likely to be associated with the event including, but not limited to, emergency response, evacuation, medical services, first aid, security, alcohol and noise management; and
 - (b) if traffic flow is likely to be impacted by the event, a traffic and pedestrian management plan prepared by or endorsed by an appropriately qualified person that is able to demonstrate the pedestrian and vehicular traffic movement that will occur during the event, including the bump in and bump out times.

6 Applications

- ~~(1) Applications for temporary entertainment events are to be made in accordance with the requirements of *Local Law No. 1 (Administration) 2016*.~~
- ~~(2) To obtain a permit an application must be made to the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.~~

711 Additional criteria for the granting of a permit

The following criteria must be considered for the granting of a permit:

- ~~(a) the expected attendance numbers;~~
- (a) the suitability of the applicant to undertake the event, which will be considered against:
 - (i) the demonstrated suitability within the application material; and
 - (ii) any previous history of the applicant in conducting events, having regard to:
 - A. any complaints received by the local government;
 - B. any non-compliance by the applicant with conditions of any previous permit or approval given in relation to an event; and
 - C. the applicant's previous general conduct in undertaking an event;
- (b) the appropriateness of the proposed location where the event is to be undertaken, having regard to:
 - (i) the nature of the activity proposed for the event;
 - (ii) the number of attendees which are expected to attend the event;
 - (iii) the potential for public health risks and environmental harm; and
 - (iv) the means of entry and exit for persons and vehicles;
- ~~(c) whether the proposed event and its operation of the temporary entertainment event must not would unreasonably detract from the established amenity in the vicinity of the temporary entertainment event of the area;~~
- (d) whether there are appropriate sanitary conveniences and refuse collection facilities which will be provided during the event for use by attendees which comply with the standards and requirements imposed by the local government;
- ~~(b) —~~
- ~~(c) the premises must be suitable and convenient for the temporary entertainment event taking into account the type of activity proposed, the numbers of persons expected or likely to attend the premises, the location and appearance of the premises and the means of entry and exit for persons and, where applicable, vehicles;~~
- ~~(d) the premises must comply with environmental, health and safety standards;~~
- (e) whether the event would have any significant adverse impacts on the surrounding area by causing significant noise, dust, odour or light interference or another significant impact which, in the opinion of the authorised person, would be unreasonable or interfere with the amenity of areas that may be impacted by the event;
- (f) whether there are adequate provisions for attendees and vehicles to enter and exit the facilities;

- ~~(g) whether the applicant has nominated a suitable procedure to handle complaints related to the event and to monitor compliance of the event with all conditions imposed pursuant to this local law;~~
- ~~(h) whether there is sufficient security, crowd control, traffic and emergency procedures proposed to ensure the safety and protection of attendees, neighbouring residents and the general public;~~
- ~~(i) any applicable Commonwealth, State or local government standards or requirements;~~
- ~~(j) for any potential risk involved in the event, any risk mitigation measures proposed by the applicant; and~~
- ~~(e) the outcome of any consultation the local government undertakes with any owner or occupier of buildings or land that may be impacted by the event, as well as any other regulatory authority with an interest in the operation of the event. the use of the venue must be a lawful use;~~
- ~~(f) entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood;~~
- ~~(g) there must be enough sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public;~~
- ~~(h) adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event;~~
- ~~(i) adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event; and~~
- ~~(j) the applicant for the permit must nominate a person who is responsible for:~~
- ~~(k) ensuring compliance with this local law before, during and after the event;~~
- ~~(l) handling general complaints which may be received; and~~
- ~~(m)(k) liaising and communicating with the local government or an authorised person.~~

812 Conditions that must be imposed on a permit

The following types of conditions are conditions that must be imposed on a permit requiring the permit holder to:

- ~~(a) The temporary entertainment event must:~~
 - ~~(i) provide an equal number of clearly marked waste and recycling bins in pairs around the venue to meet the needs of attendees and facilitate the separation of waste by event patrons and vendors; and~~
 - ~~(ii) ensure any waste, recyclables and litter generated as a result of the event are collected and disposed of. Clean-up must be carried out within 24 hours of the event.~~

- ~~(b) The permit holder must:~~
- ~~(i) display the permit in the manner, and at the locations, specified by the local government;~~
 - ~~(ii) produce the permit for inspection by an authorised person on demand; and~~
 - ~~(iii) provide the name and contact details, including street, telephone and email address, of each person and business that will operate the temporary entertainment event.~~
- ~~(c) The permit holder must comply with any industry standards relevant to the event, even if the conditions of a permit provide for a lesser standard.~~
- (a) conduct notification to residents and businesses within a specified radius as determined by an authorised person prior to the event, which details the nature of the event, the date/s and hours of operation and the contact details for the nominated contact person;
 - (b) ensure that for structures requiring an engineer's certificate or building approval (including tents, stage, marquees, lighting structures, sound towers, viewing towers, spectator seating structures and/or grandstands):
 - (i) they are erected and approved by suitably qualified persons as required; and
 - (ii) a copy of all certification or approvals for the structures are provided to the local government prior to the event;
 - (c) ensure that any conditions or requirements imposed by a private building certifier and/or engineer for any structures are complied with;
 - (d) conduct the event only during the hours and dates approved by the local government and stated in the permit;
 - (e) use the venue for the activity stated in the permit and for no other unapproved activity;
 - (f) provide a specified number and type of waste containers to be placed around the venue;
 - (g) ensure appropriate arrangements for the collection and disposal of any refuse generated during the operation of the event;
 - (h) provide the specified number and type of toilets and sanitary conveniences at the venue for the duration of the event;
 - (i) ensure that all toilets are maintained in a sanitary state during the event to the satisfaction of an authorised person;
 - (j) ensure appropriate security arrangements for the duration of the event, in and around the venue, having regard to the type of event that is being conducted;

- (k) implement control measures required to mitigate noise, dust, light, odour and/or vibration impacts from the event that may affect the use and enjoyment of the land or interfere with the amenity of an area outside of the event location;
- (l) ensure safe pedestrian and vehicular access to and from the site to the satisfaction of an authorised person;
- ~~ensure a First Aid Station is provided at the event and is attended by a qualified First Aid Officer at all times during the event;~~
- (m) notify emergency services that the event is occurring and comply with any additional requirements requested by emergency services;
- (n) provide appropriate access for emergency vehicles to and from the site at all times, including access to a First Aid Station;
- ~~take specified measures to protect the safety of persons who may be involved in, or affected by, the event, which may include, but is not limited to, the use of approved safety barricading and signage;~~
- (o) comply with all risk management and other plans submitted as part of the application and for the duration of the event;
- (p) hold and maintain public liability insurance for the event for at least \$20 million, and if the event is held on local government controlled area or road also note the local government as an interested party, and provide a copy to the local government;
- (q) maintain relevant records such as noise monitoring, complaints received, and any incidents, injuries or damage that occurred either before, during or after the event and provide to the local government upon request;
- (r) comply, and take all reasonable steps to ensure that others comply, with each condition of the permit;
- (s) provide a copy of the permit for inspection by an authorised person if requested;
- (t) allow an authorised person to enter and inspect the event and its activities at any time prior to, during or after the operation of the event to ensure compliance with the permit conditions; and
- (u) indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the event.

913 Conditions that ~~will ordinarily may~~ be imposed on a permit

The following ~~types of~~ conditions ~~will ordinarily may~~ be imposed on ~~a~~ permits ~~where applicable, requiring the permit holder to~~:

- (a) ~~require the permit holder to~~ ensure that the place of the temporary entertainment event and its operation do not unreasonably detract from the amenity of the area in which the place is located including:
 - (i) not generating (or be likely to generate) noise, dust, odour, excessive light or other adverse effects outside the venue to any significant degree (unless such matters may be effectively abated by control measures); and
 - (ii) amplification equipment and PA systems used in the conduct of the prescribed activity must be set up so as to minimise the noise impact on nearby residential premises.
- (b) provide an adequate number, which may be specified, of sanitary conveniences and maintain them in a sanitary state to meet the reasonable needs of all attendees and staff for both sexes;
- (c) collect and dispose of any refuse generated during the operation and conduct of the event;
- (d) specify the dates and hours of operation when the event can occur;
- (e) provide appropriate and safe access for:
 - (i) emergency vehicles into the site at all times including access to the First Aid Station; and
 - (ii) pedestrian and vehicular access.
- (f) require a First Aid Station to be attended by a qualified First Aid Officer at all times during the event;
- (g) require the permit holder to conduct a letter drop to residents and affected businesses in the vicinity of the venue pursuant to a map attached to the permit (being within a 500 metre radius or some other distance determined by an authorised person). The letter must detail the nature of the event, date, hours of operation and contact details of the event organiser;
- (h) where applicable, ensure that food ~~shall is~~ only ~~be~~ sold from licensed food premises and temporary food stalls ~~are~~ approved by the local government's Environmental Health Officers;
- (i) prescribe requirements about:
 - (i) crowd, traffic and parking control;
 - (ii) security measures to be implemented;
 - (iii) the number of personnel required;
 - (iv) evacuation procedures to be implemented as part of the operation of the temporary entertainment event;

- (v) the public display of evacuation plans and procedures as part of the operation of the temporary entertainment event;
 - (vi) the exhibition of signage as part of the operation of the temporary entertainment event; and
 - (vii) the removal of structures erected, and equipment used, as part of the operation of the temporary entertainment event at the completion of the event;
- (j) ensure that pyrotechnics displays are:
- (i) carried out by an individual or corporation with the appropriate fireworks licence issued by the relevant statutory body or government department; ~~and~~
 - (ii) ~~A~~ current public liability insurance policy is held by the permit holder and must also cover the permit holder, operator, if different to the permit holder, and in the sum determined by the local government; and
 - ~~(i)(iii)~~ if the event is held on a local government controlled area or road, ensure that the public liability insurance also notes the and local government as an interested party in the sum determined by the local government;
- ~~(j)(k)~~ require the design and construction of the place, including stage, lighting and sound towers, or other structures of the temporary entertainment event to be safe and appropriate having regard to the nature of the entertainment proposed and the number of people expected to attend the place;
- ~~(k)(l)~~ ensure that any work is undertaken by suitably qualified persons;
- (m) ensure that all temporary electrical work is carried out in accordance with the relevant Australian Standards or Industry Codes of Practice and all electrical equipment used must have current test and tag indicators;
- ~~(l)(n)~~ ensure that where all gas appliances, LP gas cylinders and gas systems are being used, that the installation and supply is carried out in accordance with the relevant Australian Standards or Industry Codes of Practice and that all gas equipment has been approved for the intended use;
- ~~(m)(o)~~ provide copies of specified certificates and other necessary approvals;
- ~~(n)(p)~~ require specified action to maintain or improve the place of the temporary entertainment event;
- (q) require the permit holder to provide specified equipment, and to take specified measures, for the safety of the public;
- ~~(o)(r)~~ require the permit holder to comply with relevant guidelines for events;
- ~~(p)(s)~~ require the permit holder to provide specified facilities and amenities;
- ~~(q)(t)~~ require the permit holder to provide specified equipment, or take specified measures, to reduce adverse effects of activities at the

temporary entertainment event on the surrounding neighbourhood to acceptable levels;

~~(r)~~(u) require the permit holder to take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before the event commences;

~~(s)~~(v) if the permit relates to an activity on a [state-controlled road](#),—require the permit holder to [provide the insurance coverage and indemnity required by indemnify](#) the State;

~~(t)~~(w) require that any premises, building, structure, vehicle, facility or equipment used in the operation of the temporary entertainment event be maintained at all times:

- (i) in good working order;
- (ii) in a good state of repair; and
- (iii) in a clean and sanitary condition.

~~(u)~~(x) require the permit holder to deliver a bond or security to the local government to secure compliance with the requirements of each of the permits and the provisions of the authorising local law;

~~(v)~~(y) ensure the management and supervision of the temporary entertainment event is adequate to protect public safety and prevent nuisance; [and](#)

~~(w)~~(z) ensure signage used in the conduct of the prescribed activity is exhibited in a manner, and at the locations, specified by the local government.

~~Part 3 Requirements for minor temporary entertainment events under 100 people~~

~~10—Requirements for minor temporary entertainment events under 100 people~~

~~(1)—If conducted on local government controlled land or road:~~

~~(a)—the event must have public liability insurance in the name of the local government and the event organizer or with the local government noted as an interested party at the sole discretion of the local government;~~

~~(b)—the local government must be given at least 10 business days notice in writing:~~

~~(i)—of the nature of the event;~~

~~(ii)—its location;~~

~~(iii)—the likely number of people attending;~~

~~(iv)—an address and telephone contact of the event organiser; and~~

~~(2)—a copy of the insurance cover notice for public liability.~~

- ~~(a) if the local government has not responded within 5 business days of the day of the event it may proceed without a permit; and~~
- ~~(3) if the local government responds in writing following receipt of the notice referred to in subsection (1)(b) within 5 business days indicating that a permit will be required then that event cannot proceed without a permit being obtained under Part 2.~~
- ~~(a) All necessary licences or permits for food must be obtained for the purpose of the event.~~

CERTIFICATION

~~This and the preceding 6 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 9 (Temporary Entertainment Events) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo
Chief Executive Officer
Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 10 (Cane Railways) 2016**

| **Current as at ~~1~~ [March 2016](#)**

Cairns Regional Council

Local Law No. 10 (Cane Railways) 2016

Contents

Part 1 Preliminary.....	<u>144</u>
1 Short title.....	<u>144</u>
2 Purpose.....	<u>144</u>
3 Relationship with other laws.....	<u>144</u>
Part 2 Cane railway operation.....	<u>144</u>
4 Prescribed activity.....	<u>144</u>
5 Additional criteria for the granting of a permit.....	<u>144</u>
6 Conditions that must be imposed on permits.....	2

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 10 (Cane Railways) 2016*.

2 Purpose

- (1) The purpose of this local law is to allow the local government to regulate the activities of cane railways to protect the safety of vehicles, pedestrians and infrastructure such as roads and bridges and avoid nuisance to other users of the infrastructure.
- (2) The local law will achieve its purpose by requiring permits for the operation of cane railways which can be conditioned to achieve the purpose.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law 1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- (b) made under Chapter 3 of the LGA; and
- (c) otherwise in addition to, and does not derogate from, laws regulating land use planning.

Part 2 Cane railway operation

4 Prescribed activity

- (1) ~~The operation of a cane railway operation~~ is a category 3 prescribed activity.
- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

5 Additional criteria for the granting of a permit

The following types of criteria must be considered for the granting of a permit:

- (a) The cane railway must ~~in the opinion of an authorised person~~ in the opinion of an authorised person, be able to be:
 - (i) operated so as not to cause any inconvenience, hindrance or damage to any person using the roads ~~or~~ bridges or local government controlled area upon which such cane railway is constructed;
 - (ii) operated so as not to damage such roads ~~or~~ bridges or local government controlled area; ~~and~~

(iii) operated and adequately guarded so as protect the safety of any vehicle or pedestrian traffic; ~~and~~;

(b) the design and construction of the cane railway must be safe and appropriate for the nature of its proposed use.

6 Conditions that must be imposed on permits

The following types of conditions must be imposed on a permits:

~~(a)~~—The permits must include:

(a) the approved design of the cane railway and any cane railway infrastructure proposed to be constructed;

(b) the standards and method of construction of the cane railway and any cane railway infrastructure including ~~best practices for~~ stormwater, erosion and sediment control requirements during the construction of the cane railway and any cane railway infrastructure; and operation;

(c) the approved standards and methods of maintenance required to the cane railway;

(d) any replacement required to be undertaken to the cane railway;

~~(b)~~(e) the drainage works required to be undertaken to the cane railway or in the vicinity of the cane railway;

~~(c)~~(f) requirements for safety precautions, signs, warning devices and guard rails;

(g) the standards and methods of operation of any cane railway train used in the operation of the cane railway;

~~(d)~~(h) the approved weight, size and type of the cane railway train permitted to be used in the operation of the cane railway;

~~(e)~~—the standards and methods of maintenance of any cane railway;

(i) requirements for the construction of any ~~grid~~cane railway infrastructure;

~~(f)~~(j) the approved standards and methods of maintenance required to the cane railway infrastructure;

~~(g)~~—drainage works;

~~(h)~~—speed of operation;

~~(i)~~—weight and nature of cane railway;

~~(j)~~(k) maintenance of and repairs required to be undertaken to roads or bridges adjoining or in the vicinity of the cane railway or cane railway infrastructure; and

~~(k)~~(l) approved access details and any conditions for access by for trucks any vehicle to the cane railway or cane railway infrastructure.; and

~~(l)~~(m) tThe permit holder, its contractors or agents are required to:

- (i) take out public liability insurance ~~in-for~~ an amount nominated by the local government and to name local government as an interested party on the policy;
- (ii) provide the local government with a certificate of currency of public liability insurance held every year for the term of the permit;
- (iii) indemnify the local government and any other person who has an interest in or takes a benefit from the cane railway or cane railway infrastructure against claims for personal injury ~~(including death)~~ and damage to property ~~(including economic loss)~~ arising by, through or in connection with the construction, operation or maintenance of the cane railway or cane railway infrastructure; and
- (iv) comply with all reasonable directions of an authorised person within the timeframe specified by the authorised person.

CERTIFICATION

~~This and the preceding 2 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 10 (Cane Railways) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo
Chief Executive Officer
Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 11
(Local Government Controlled Areas and Roads) 2016**

| **Current as at ~~1~~ March 2016**

Cairns Regional Council Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

Contents

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved.....	1
3 Relationship with other laws.....	2
4 Prescribed activities	2
Part 2 Use of local government controlled areas and roads	2
6 Prohibited activities	2
7 Restricted Activities.....	3
Part 3 Public place activities on local government controlled areas and roads.....	13
8 Prescribed activity	13
9 Public place activities that do not require a permit	13
10 Additional criteria for the granting of a permit.....	13
11 Conditions that must be imposed on a permit	14
12 Conditions that will ordinarily be imposed on a permit	14
Part 4 Commercial Use Activities on local government controlled areas and roads.....	16
13 Prescribed activity	16
14 Commercial use activities that do not require a permit.....	17
15 Additional criteria for the granting of a permit.....	17
16 Conditions that must be imposed on a permit	18
17 Conditions that will ordinarily be imposed on a permit	19
Part 5 Driving or leading animals.....	24
18 Prescribed activity	24
19 Activities that do not require permit.....	24
20 Additional criteria for the granting of permit.....	24
21 Conditions that must be imposed on a permit	25
22 Conditions that will ordinarily be imposed on a permit	25

Part 6 Depositing of goods and material.....	25
23 Prescribed activity	25
24 Activities that do not require a permit	25
25 Additional criteria for the granting of a permit.....	26
26 Conditions that must be imposed on a permit	26
27 Conditions that will ordinarily be imposed on a permit	26
Part 7 Alteration or improvement to local government controlled areas or roads	28
28 Prescribed activity	28
29 Activities that do not require permit.....	28
30 Additional criteria for the granting of permit.....	28
31 Conditions that must be imposed on permits	29
32 Conditions that will ordinarily be imposed	30
Part 8 Bringing or driving motor vehicles onto local government controlled areas....	31
33 Prescribed activity	31
34 Activities that do not require a permit	31
35 Additional criteria for the granting of a permit.....	31
36 Conditions that must be imposed on a permit	32
Part 9 Bringing or driving prohibited vehicles onto motor vehicle access areas.....	32
37 Prescribed activity	32
38 Activities that do not require a permit	32
39 Additional criteria for the granting of a permit.....	33
40 Conditions that must be imposed on a permit	33
Part 10 Intoxicating liquor	33
Division 1 Offence relating to intoxicating liquor.....	33
41 Possession of intoxicating liquor	33
Division 2 Enforcement	34
42 Verbal direction to comply.....	34
43 Power to secure compliance	34
Division 3 Confiscated intoxicating liquor	34
44 Disposal of confiscated intoxicating liquor.....	34
Part 11 Miscellaneous	34
45 Opening hours of local government controlled areas	34

46	Motor vehicle access to local government controlled areas	35
47	Power of closure of local government controlled areas	35
48	Power to require owner of land adjoining road to fence land.....	36
49	Numbering of premises and allotments adjoining a road.....	37
50	Detailed area management plans	37
Part 12	Subordinate local laws	37
51	Subordinate local laws	37

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 11 (Local Government Controlled Areas and Roads) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to:
- (a) allow the use of local government controlled areas or roads where there is a positive community benefit in allowing that use;
 - (b) decline the use of local government controlled areas or roads where there is a negative community outcome in allowing that use;
 - (c) balance the public interest against the competing private interest in granting a permit where neither subsection (a) or (b) apply;
 - (d) protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads;
 - (e) protect the health and safety of persons using state controlled roads to the extent that the local government has assumed responsibility for the management of the state controlled road;
 - (f) preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads; and
 - (g) protect the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for:
- (a) the regulation of access to local government controlled areas;
 - (b) the prohibition or restriction of particular activities on local government controlled areas or roads;
 - (c) prescribed activity applications and permits for local government controlled areas and roads;
 - (d) offences to enforce compliance with the purposes;
 - (e) the protection of the health of persons using local government controlled areas by declaring smoke free areas; and
 - (f) miscellaneous matters affecting local government controlled areas and roads.

3 Relationship with other laws

This local law is:

- (a) in addition to and does not derogate from laws regulating the use of trust land and roads;
- (b) made under Chapter 3 of the LGA and the TORUM Act and may be affected by the *Land Act 1994*, the *Land Regulation 2009-2020* and the *Land Protection (Pest and Stock Route Management) Act 2002*;
- (c) ~~otherwise~~ in addition to and does not derogate from, laws regulating land use planning and development assessment;
- (d) applicable to a State controlled road where the chief executive of the department that administers section 66(5) (~~Road Transport Infrastructure~~) of the TORUM Act approves in writing the application of this local law to a State controlled road;
- (e) applicable to ~~all these~~ local government controlled areas and roads ~~identified in Schedule 1 of Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016~~; and
- (f) is to be read in conjunction with *Local Law No. 1 (Administration) 2016*.

4 Prescribed activities

- (1) The prescribed activities referred to in this local law are all category 1 prescribed activities.
- (2) A permit granted for a prescribed activity under this local law is not ~~n~~ transferrable.

~~The prescribed activities referred to in this local law are all:~~

- ~~(a) category 1 activities for the purpose of section 38(4) of *Local Law No.1 (Administration) 2016*; and~~
- ~~(b) permits granted which are non-transferable permits~~

Part 2 Use of local government controlled areas and roads

5 Management under this part

- (1) The local government manages those areas under its control by prohibiting, restricting and permitting activities to occur on local government controlled areas and roads.
- (2) Prohibited activities cannot be permitted.
- (3) Prescribed activities can be permitted or permitted subject to conditions, except where prohibited, or restricted in all areas.
- (4) Restricted activities, other than prescribed activities, can only be undertaken in accordance with this part.

6 Prohibited activities

- (1) Activities are prohibited in different parts of the local government controlled areas and roads.
- (2) Schedule 2 of *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016* in Column 2 identifies the prohibited activities and Column 1 identifies the local government controlled area or road where the activities are prohibited.
- (3) Where schedule 2 of *Subordinate Local Law No. 11 (Local Government Controlled Areas and Road) 2016* identifies specific areas which are also more generally defined in Schedule 2, the specific prohibitions of the specific areas prevail to the extent of any inconstancy/inconsistency.
- (4) A person must not engage in a prohibited activity.
Maximum penalty ~~for subsection (4)~~—5020 penalty units.
- (5) A person must comply with a verbal direction from an authorised person to cease undertaking a prohibited activity.
Maximum penalty ~~for subsection (5)~~—20 penalty units.
- (6) Any direction given under subsection (5) is in addition to any other action that may be taken by the local government or an authorised person under this or any other local law or law.

7 Restricted Activities

- (1) Activities are restricted in different parts of the local government controlled areas and roads.
- (2) Schedule 3 of *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016* in Column 2 identifies activities that are restricted in the local government controlled area or road identified in Column 1, subject to the extent of the restriction identified in Column 3.
- (3) The local government must take reasonable steps to provide notice to members of the public regarding restricted activities for local government controlled areas or roads.
- (4) In this section:
reasonable steps may include:
 - (a) the display of a notice at a prominent place within each local government controlled area identified under subsection (2) stating:
 - (i) if the restriction relates to the whole area, the restricted activities for the area;
 - (ii) if the restriction relates to a part of the area—the restricted activities and a description of the part of the area to which the declaration applies; and
 - (iii) in general terms, the restriction; and
 - (b) including the information on Council the local government's website.

- (5) A person must not engage in a restricted activity beyond the extent of a restriction identified in Column 3 of Schedule 3.

Maximum penalty ~~for subsection (5)~~—20 penalty units.

- (6) A person must comply with a verbal direction from an authorised person to cease undertaking a restricted activity beyond the extent of a restriction identified in Column 3 of Schedule 3.

Maximum penalty ~~for subsection (5)~~—20 penalty units.

- (7) Any direction given under subsection (6) is in addition to any other action that may be taken by the local government or an authorised person under this or any other local law or law.

~~Part 3 General activities on local government controlled areas and roads~~

~~8 Prescribed activity~~

- (1) ~~General activity on local government controlled areas and roads is a prescribed activity.~~
- (2) ~~To obtain a permit an application must be made to Council on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.~~

~~9 General activities that do not require a permit~~

~~The following general activities do not require a permit under this local law:~~

- (a) ~~picnics, day outings, walks and the like with less than 20 people;~~
- (b) ~~invitation only gatherings of friends or family, including for barbeques or birthday parties, but not weddings, where no more than 50 people are expected to attend and no temporary structure is placed on the local government area;~~
~~*Examples of temporary structures: marquees, jumping castles, inflatable water slides.*~~
- (c) ~~small scale fundraising e.g. daffodil day stall and sausage sizzle;~~
- (d) ~~a peaceful assembly as defined in the *Peaceful Assemblies Act 1992*~~
- (e) ~~(but does require authorisation under that Act);~~
- (f) ~~the operation of a temporary entertainment event, which is managed under *Local Law No. 9 (Temporary Entertainment Events) 2016*;~~
- (g) ~~mobile roadside vending provided that operators:~~
- (i) ~~do not solicit business from local government controlled areas or roads, eg. regulated parking bays or the footpath;~~
- (ii) ~~do not cause obstruction to vehicle or pedestrian movements by the operation of the business, eg. the queuing of customers;~~

- ~~(iii) do not remain in one location for more than 30 minutes; and~~
- ~~(iv) do not attend in the same area more than 3 times in a single day;~~
- ~~(h) the provision of a public passenger service under the *Transport Operations (Passenger Transport) Act 1994*;~~
- ~~(i) 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;~~
- ~~(j) a business that a person is authorised to carry on under the *Transport Infrastructure Act 1994*, unless and until a Memorandum of Understanding is agreed under the *Transport Infrastructure Act 1994* by which Council is to take control of specified declared roads upon which the activity is to be carried out;~~
- ~~(k) using a road for a particular purpose if the use constitutes development under the Planning Act; and~~
- ~~(l) life-saving competition or training or other aquatic activity under *Local Law No. 13 (Bathing Reserves and Foreshores) 2016*.~~

10 — ~~Additional criteria for the granting of a permit~~

The local government may grant a permit only if the proposed activity:

- ~~(a) would not adversely affect the amenity of the area, road or the environment;~~
- ~~(b) would not unduly interfere with the usual use and enjoyment of the area or road;~~
- ~~(c) can be lawfully conducted on the area or road;~~
- ~~(d) does not unreasonably detract from the established amenity in the neighbourhood;~~
- ~~(e) is able to be conducted consistent with relevant environmental, health and safety standards;~~
- ~~(f) is able to be operated in accordance with best practice management for the activity;~~
- ~~(g) complies with the local government's planning scheme;~~
- ~~(h) will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood;~~
- ~~(i) would not adversely affect existing services located in, on or over an area or road;~~
- ~~(j) is appropriate having regard to any current permits issued, or application for permits, under this local law for the site including the number of permits, their duration and the nature of any approved activity;~~
- ~~(k) is appropriate having regard to the frequency at which the activity is proposed to be conducted on the site;~~

- ~~(l) the number of customers proposed to be taken to the site at any one time is appropriate for the local government area or road;~~
- ~~(m) is appropriate having regard to the total number of customers proposed to be taken to the site;~~
- ~~(n) is appropriate having regard to the impact of the activity on other users of the site;~~
- ~~(o) is appropriate having regard to the adequacy of any amenities or facilities considered by the local government to be reasonably necessary for the conduct of the activity;~~
- ~~(p) is appropriate having regard to the economic impact on commercial operators immediately adjacent to the site;~~
- ~~(q) is appropriate having regard to the situation, suitability and amenity of the site in relation to neighbouring areas;~~
- ~~(r) attaches plans showing any temporary structure intended to be erected as part of the activity is structurally sound;~~
- ~~(s) will not significantly detract from the capacity of a road to provide a vehicular and, where relevant, pedestrian thoroughfare; and~~
- ~~(t) will not obstruct access from the footpath to kerbside parking.~~

11— Conditions that must be imposed on a permit

~~The following types of conditions must be imposed on a permit where applicable requiring the permit holder, its contractors or agents to:~~

- ~~(a) conduct the activity on the days and hours specified in the permit;~~
- ~~(b) adhere to safety standards;~~
- ~~(c) adopt best practice management for the activity; and~~
- ~~(d) comply with all reasonable directions of an authorised person in the time specified by the authorised person.~~

12— Conditions that will ordinarily be imposed on a permit

~~(1) The following type of conditions will ordinarily be imposed on a permit where applicable requiring the permit holder, its contractors or agents to:~~

- ~~(a) supply a written report to the chief executive officer on an annual basis advising of the level of compliance with the permit signed by the operator and contains the following particulars:~~
 - ~~(i) the total number of persons (including employees or agents) who undertook the activity during each month of its operation together with:~~
 - ~~(A) a breakdown of the number of persons who undertook the activity each day (with the number of employees or agents and the number of customers separately identified); and~~

- ~~(B) the times on which the activity was undertaken each day;~~
- ~~(ii) the total number of vehicle, vessel or aircraft trips undertaken by each vehicle, vessel or aircraft on each day of the month; and~~
- ~~(iii) details of any accidents which took place during the conduct of the activity each month;~~
- ~~(b) indemnify the local government against all liability directly or indirectly associated with the activity;~~
- ~~(c) take out a public liability insurance policy in the amount of twenty million dollars (\$20,000,000.00) in the name of the permit holder and noting the local government as an interested party;~~
- ~~(d) provide to its customers or any other persons undertaking the activity all necessary or appropriate safety equipment, warnings and instruction;~~
- ~~(e) be responsible for any costs or expenses incurred by local government for rectifying any damage caused by the activity; make smoking receptacles available to collect cigarette butts, lighted matches, smoking products or any other lit materials;~~
- ~~(f) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;~~
- ~~(g) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by local government;~~
- ~~(h) not erect any permanent or temporary buildings, signs or structures upon the permitted activity area unless specifically permitted under the permit;~~
- ~~(i) ensure that all areas used are left in a clean and tidy condition and litter is collected and lawfully disposed at a local government waste transfer station;~~
- ~~(j) ensure that portable toilets are supplied, as directed by local government; and serviced for the use of the people attending the activity should insufficient facilities be available onsite;~~
- ~~(k) ensure that waste from portable toilets is collected by a regulated waste transporter and disposed of lawfully at a facility licensed to accept such waste;~~
- ~~(l) ensure that serving or selling any food, refreshments, souvenirs or other retail items is prohibited unless specifically permitted under the permit;~~
- ~~(m) ensure that cleaning, maintaining or repairing any vehicle, vessel, aircraft or other equipment except for emergency repairs is prohibited;~~
- ~~(n) ensure that activities are not permitted within 30 metres of a deployed stinger net;~~
- ~~(o) advise the means by which impacts on the environment are to be minimised;~~

- ~~(p) advise the means by which impacts on the amenity of neighbouring areas are to be minimised;~~
- ~~(q) ensure that a person holding a recognised first aid certificate and all other certifications required by any State or Commonwealth authority is present;~~
- ~~(r) only permit experienced and competent guides, agents or supervisors to oversee the operation of the activity;~~
- ~~(s) accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;~~
- ~~(t) provide information, explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken;~~
- ~~(u) ensure that any motor vehicle, vessel, aircraft or other machinery used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;~~
- ~~(v) identify the points at which an operator is to access the site for the purpose of undertaking the general activity;~~
- ~~(w) state the number of customers to be taken or permitted on the site at any one time;~~
- ~~(x) include the programming of the general activity on the site; and~~
- ~~(y) include the use of any roads, jetties, foreshores or other means of accessing the site;~~
- ~~(aa) obtain any necessary permits or approvals by any government department and provide copies to the local government;~~
- ~~(bb) at least seven (7) days before the activity commences, inform residents living adjacent to the activity in writing by a letter drop, of the approximate activity date, the time, the nature and scale of proposed activities;~~
- ~~(cc) ensure activities on roads are carried out so as not to compromise road safety or unduly disrupt traffic. In all instances, the necessary approvals are to be obtained from bodies such as Department of Transport and Main Roads, Queensland Transport, Queensland Police, etc; and~~
- ~~(dd) ensure the local government is kept fully informed in writing of any proposed alterations to the activity or its timing.~~
- ~~(2) In addition to subsection 12(1) the following type of conditions will ordinarily be imposed on a permit for footpath dining where applicable requiring the permit holder, its contractors or agents to:~~
 - ~~(a) ensure all tables and associated furniture used for the purpose of footpath dining are placed and shall remain at all times in the position as indicated on the approved plan;~~

- ~~(b) ensure that only the approved footpath dining area shall be utilised at any one time, and that an unobstructed clear width of at least 2.5 metres is maintained for pedestrian access at all times including any signage and ancillary items;~~
- ~~(c) ensure all approved footpath dining furniture and their environs are to be kept clean and tidy and that suitable refuse containers are provided and the area is thoroughly cleaned at the end of each business day;~~
- ~~(d) ensure all tables and associated furniture remain within the permitted area during the hours of operation;~~
- ~~(e) ensure all tables and associated furniture are secured by removal and storage inside the premises or as proposed, at all times outside the business hours of operation;~~
- ~~(f) ensure any umbrellas are suitably weighted or fixed to ensure there is neither uplift nor damage to property or person, to the satisfaction of an authorised person;~~
- ~~(g) ensure any footpath dining furniture not approved by the local government is not placed on the footpath at any time;~~
- ~~(h) ensure any amendments to the approved plan, including any additional furniture shall be submitted for the approval of an authorised person;~~
- ~~(i) ensure all permitted footpath dining activities are consistent with the Regulations and Standards of the *Work, Health & Safety Act 2011*;~~
- ~~(j) ensure the footpath and road reserves used for footpath dining purposes remain public spaces, even after a footpath dining permit has been granted within the designated footpath space;~~
- ~~(k) ensure the furniture provided within the footpath dining establishments cannot be retained for the exclusive use of the patrons of the premises;~~
- ~~(l) ensure the invoices issued in relation to the rental fees for the permitted area are paid by the due date;~~
- ~~(m) where the consumption of liquor occurs within the permitted footpath dining area, ensure that an application is made to the Office of Liquor and Gaming Regulation. A copy of the approval for the consumption of liquor must be forwarded to the local government prior to the commencement of service of liquor within the footpath dining area. While there is no objection to the premises to which this permit applies being licensed for the consumption of liquor at this time, the right to reconsider this position and withdraw support is retained;~~
- ~~(n) ensure the approved activities are only conducted on the days and times specified on the permit;~~
- ~~(o) display the permit in a clearly visible position to the public and if requested by an authorised person, produce the permit for inspection;~~
- ~~(p) hold a public liability insurance policy to the value of twenty million dollars (\$20,000,000.00) in respect of the activity, with the local government~~

- being noted as an interested party;
- ~~(q) comply with the provisions of the *Public Health Act 2005* and the *Food Act 2006*;~~
- ~~ensure the activity does not adversely obstruct the movement of vehicles and pedestrians along the road;~~
- ~~ensure the activity does not cause a danger or nuisance to neighbouring residents or users of the road (including any disposal of waste water as part of that activity);~~
- ~~(r) ensure the activity does not interfere with the existing services located in, on or over a road;~~
- ~~(s) ensure that any waste generated as a result of the activity is properly disposed of and provide a rubbish receptacle for customers visiting their business; and~~
- ~~(t) ensure any advertising signs intended to be erected must be in accordance with any local law or planning scheme requirements relating to the regulation of advertising devices or any development permit given under the *Sustainable Planning Act 2009*.~~
- ~~(3) In addition to subsection 12(1) the following type of conditions will ordinarily be imposed on a permit for stationary roadside vending where applicable requiring the permit holder, its contractors or agents to:~~
- ~~(a) ensure the vehicle used in the operation of the general activity is parked and remains at all times in the position as indicated on the approved site plan;~~
- ~~(b) ensure the permit is displayed at all times whilst the general activity is being conducted;~~
- ~~(c) ensure a copy of the permit conditions and approved site plan are kept on site at all times and can be produced to an authorised person upon request;~~
- ~~(d) ensure advertising material is limited to one A-frame sign (900mm high x 600mm wide) only, illuminated signage and amplified advertising devices are not permitted at the vending site;~~
- ~~(e) ensure any details of amendments to the approved plan including a change of vehicle is submitted for the approval of the local government;~~
- ~~(f) ensure the general activity does not have any adverse effect on the existing vegetation and landscaping of the area or the environment;~~
- ~~(g) ensure the general activity does not cause a nuisance to any person or a danger to any person or property;~~
- ~~(h) provide and maintain sufficient receptacles for refuse and thoroughly clean areas, including nearby footpaths, driveways, shop fronts and remove all material associated with the activity at the conclusion of business each day;~~

- ~~(i) ensure that no structures are erected at the vending site;~~
- ~~(j) ensure that appropriate toilet arrangements, as agreed, are to be in place at all times;~~
- ~~(k) ensure fees are paid by the due date outlined on the invoice;~~
- ~~(l) conduct the general activity on the days and hours specified on the approval;~~
- ~~(m) adhere to the safety standards;~~
- ~~(n) indemnify the local government against all liability directly or indirectly associated with the general activity;~~
- ~~(o) take out a public liability insurance policy in the amount of twenty million dollars (\$20,000,000) in the name of the operator and noting the local government as an interested party;~~
- ~~(p) provide to its customers or any other persons undertaking the general activity all necessary or appropriate safety equipment, warnings and instruction;~~
- ~~(q) comply with all reasonable directions of an authorised person in the time specified by the authorised person;~~
- ~~(r) be responsible for any costs or expenses incurred by local government for rectifying any damage caused by the general activity;~~
- ~~(s) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;~~
- ~~(t) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by local government;~~
- ~~(u) not erect any permanent buildings, signs or structures upon the general activity area without the written consent of local government;~~
- ~~(v) ensure that litter is collected and lawfully disposed at a local government waste transfer station;~~
- ~~(w) ensure that waste from portable toilets is collected by a regulated waste transporter and disposed of lawfully at a facility licensed to accept such waste;~~
- ~~(x) ensure that cleaning, maintaining or repairing any vehicle, vessel, aircraft or other equipment except for emergency repairs is prohibited;~~
- ~~(y) advise the means by which impacts on the environment will be minimised;
advise the means by which impacts on the amenity of neighbouring areas will be minimised; and~~
- ~~(aa) ensure that any motor vehicle, vessel, aircraft or other machinery used in connection with the general activity, complies with all safety requirements and regulations and are operated in accordance with~~

~~requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority.~~

- ~~(4) In addition to subsection 12(1) the following type of conditions will ordinarily be imposed on a permit which involves the sale of food:-~~
- ~~(a) where the application involves any food other than whole fruit and vegetables, the applicant must submit evidence that the food was prepared in the approved premises;~~
 - ~~(b) if the application is for a vending activity that involves food preparation in the vehicle, the applicant must submit copies of current certificates of Registration and Licence under the *Food Act 2006*.~~
- ~~(5) In addition to subsection 12(1) the following type of conditions will ordinarily be imposed on a permit for goods for sale on a footpath or road (outside the CBD) where applicable requiring the permit holder, its contractors or agents to:~~
- ~~(a) display only those goods stated on the permit;~~
 - ~~(b) secure goods by removal and storage inside the premises, at all times outside of the business hours of operation;~~
 - ~~(c) maintain a clear walkway for pedestrians of a minimum width of 2.50 metres at all times;~~
 - ~~(d) keep the goods positioned as per the original site plan on the application submitted to the local government;~~
 - ~~(e) conduct the general activity on the days and hours specified on the approval;~~
 - ~~(f) adhere to any relevant safety standards;~~
 - ~~(g) indemnify the local government against all liability directly or indirectly associated with the general activity;~~
 - ~~(h) take out a public liability insurance policy in the amount of twenty million dollars (\$20,000,000) in the name of the operator and noting the local government as an interested party;~~
 - ~~(i) comply with all reasonable directions of an authorised person in the time specified by the authorised person;~~
 - ~~(j) be responsible for any costs or expenses incurred by the local government for rectifying any damage caused by the general activity;~~
 - ~~(k) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;~~
 - ~~(l) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by local government;~~
 - ~~(m) not erect any permanent buildings, signs or structures upon the approved activity area without the written consent of local government;~~
 - ~~(n) ensure that litter is collected and lawfully disposed at a local government~~

- waste transfer station; and
- ~~(o) advise the means by which impacts on the amenity of neighbouring areas will be minimised.~~
- ~~(p)~~

Part 3 Public place activities on local government controlled areas and roads

8 Prescribed activity

- (1) A public place activity on local government controlled areas and roads is a prescribed activity.
- (2) To obtain a permit, a properly made application must be made to the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

9 Public place activities that do not require a permit

The following public place activities do not require a permit under this local law:

- (a) a private gathering with up to 100 attendees and provided no amplified music, temporary structures or furniture will be used in conducting the activity;
- (b) a peaceful assembly authorised under section 10 of the *Peaceful Assemblies Act 1992*;
- (c) the operation of a temporary entertainment event, which is managed under *Local Law No. 9 (Temporary Entertainment Events) 2016*;
- (d) a public place activity undertaken by the local government; and
- (e) life-saving competition or training or other aquatic activity under *Local Law No. 13 (Bathing Reserves and Foreshores) 2016*.

10 Additional criteria for the granting of a permit

The local government may grant a permit only if the proposed activity:

- (a) would not adversely affect or unreasonably detract from the amenity of the area or road;
- (b) would not unduly interfere with the usual use and enjoyment of the area or road;
- (c) can be lawfully conducted on the area or road;
- (d) is able to be conducted according to the relevant environmental, health and safety standards;
- (e) will not generate significant noise, dust, odour or light pollution or other significantly adverse effects on the surrounding area;
- (f) would not adversely affect existing services located in, on or over an area

or road;

- (g) is appropriate having regard to any current permits issued, or application for permits, under this local law for the site including the number of permits, their duration and the nature of any approved activity;
- (h) is appropriate having regard to the frequency at which the activity is proposed to be conducted on the approved area;
- (i) is appropriate having regard to the impact of the activity on other users of the local government controlled area or road;
- (j) is appropriate having regard to the adequacy of any amenities or facilities considered by the local government to be reasonably necessary for the conduct of the activity;
- (k) involving the use of any temporary structure will be safe, as demonstrated by the applicant within the application, including but not limited to providing relevant plans;
- (l) will not significantly detract from the capacity of a road to provide a vehicular and, where relevant, pedestrian thoroughfare; and
- (m) will not obstruct access from the footpath to kerbside parking.

11 Conditions that must be imposed on a permit

The following types of conditions must be imposed on a permit where applicable requiring the permit holder, or where applicable, its contractors or agents, to:

- (a) conduct the activity on the days and hours specified in the permit;
- (b) adhere to environmental, health and safety standards; and
- (c) comply with all reasonable directions of an authorised person in the time specified by the authorised person.

12 Conditions that will ordinarily be imposed on a permit

(1) The following type of conditions will ordinarily be imposed on a permit where applicable requiring the permit holder, or where applicable its contractors or agents, to:

- (a) provide to its attendees or participants all necessary or appropriate safety equipment, warnings and instructions;
- (b) be responsible for any costs or expenses incurred by the local government for rectifying any damage caused by the activity;
- (c) identify the points at which an operator is to access the permitted area for the purpose of undertaking the public place activity, such as roads, jetties, foreshores or other means of access;
- (d) state the number of attendees or participants to be taken or permitted on the approved area at any one time;
- (e) ensure the approved activity is only conducted on the days and during the

times specified on the permit;

- (f) ensure appropriate measures are implemented to minimise any impact on the environment;
- (g) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
- (h) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by the local government;
- (i) ensure that rubbish receptacles are provided, and any waste generated as a result of the activity is collected and lawfully disposed of at a local government waste transfer station;
- (j) indemnify the local government against any and all claims, actions, loss and liability, including claims for personal injury and damage to property, that arise or may arise directly or indirectly as a result of conducting the activity;
- (k) take out and maintain for the duration of the permit, a public liability insurance policy in an amount nominated by the local government, in the name of the permit holder and, if requested by the local government, note the local government as an interested party;
- (l) ensure all fees are paid by the due date outlined on the invoice by the local government;
- (m) not erect any permanent or temporary buildings, signs or structures upon the permitted activity area unless specifically authorised under the permit;
- (n) ensure that all areas used are left in a clean and tidy condition;
- (o) ensure that cleaning, maintaining or repairing any vehicle, vessel, aircraft or other equipment, except for emergency repairs, does not occur on the local government controlled area or road;
- (p) ~~ensure that activities are not permitted within 30 metres of a deployed stinger net;~~ ensure appropriate measures are implemented to minimise any danger to person or property, as well as impact on the amenity of neighbouring residents or users of the road;
- (q) ensure that a person holding a recognised first aid certificate and all other certifications required by any State or Commonwealth authority is present during the operation of the activity;
- (r) only permit experienced and competent supervisors, guides, or agents to oversee the operation of the activity;
- (s) ensure that any motor vehicle, vessel, aircraft or other machinery used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;

- (t) obtain any necessary permits or approvals by any government department and provide copies to the local government;
 - (u) ensure activities on roads are carried out so as not to obstruct the movement of vehicles, compromise road safety, pedestrians or unduly disrupt traffic. In all instances, the necessary approvals are to be obtained from bodies such as Department of Transport and Main Roads, Queensland Transport, Queensland Police, etc; and
 - (v) ensure the local government is kept fully informed in writing of any proposed alterations to the activity or its timing.
- (2) In addition to subsection 12(1), the following types of conditions will ordinarily be imposed on a permit which involves lighting and maintaining a fire for the purpose of conducting a cultural ceremony or practice, requiring the permit holder, its contractor or agent to:
- (a) nominate a designated person who is and will remain responsible for providing safety instructions, monitoring the fire as well as the conduct of persons in and around the fire for the duration of the activity;
 - (b) provide adequate precautions to ensure the fire is maintained in accordance with the required standards;
 - (c) only conduct the cultural ceremony or practice within a designated area, for the duration and within the times considered appropriate by the local government;
 - (d) only use materials of a specified type in lighting or maintaining the fire;
Example
Using dry, untreated wood and not garden vegetation etc which can create unnecessary smoke issues;
 - (e) not use materials of a specified type in lighting or maintaining the fire;
Example
Not use petrol or garden vegetation
 - (f) comply with a standard of fireplace for use that is considered acceptable by the local government;
Example
an approved fire pit or brazier
 - (g) ensure the fire is not left unattended and is completely dowsed before leaving the area; and
 - (h) reinstate the area to the same condition it was in prior to the activity being conducted.

Part 4 Commercial Use Activities on local government controlled areas and roads

13 Prescribed activity

- (1) A commercial use activity on local government controlled areas and roads is a

prescribed activity.

- (2) To obtain a permit, a properly made application must be made to the local government on the approved form required under *Local Law No. 1 (Administration) 2016* and this local law.

14 Commercial use activities that do not require a permit

The following commercial use activities do not require a permit under this local law:

- (a) the operation of a temporary entertainment event, which is managed under *Local Law No. 9 (Temporary Entertainment Events) 2016*;
- (b) a commercial use activity undertaken by the local government;
- (c) mobile roadside vending provided that operators:
 - (i) do not solicit business from local government controlled areas or roads, eg. regulated parking bays or the footpath;
 - (ii) do not cause obstruction to vehicle or pedestrian movements by the operation of the business, eg. the queuing of customers;
 - (iii) do not operate in front of businesses of a similar nature or that sell similar goods or services that are provided by the mobile roadside vending operation;
 - (iv) do not remain in one location for more than 30 minutes; and
 - (v) do not attend the same area more than 3 times in a single day;
- (d) the provision of a public passenger service under the *Transport Operations (Passenger Transport) Act 1994*;
- (e) 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;
- (f) a business that a person is authorised to carry on under the *Transport Infrastructure Act 1994*, unless and until a Memorandum of Understanding is agreed under the *Transport Infrastructure Act 1994* by which the local government is to take control of specified declared roads upon which the activity is to be carried out; and
- (g) using a road for a particular purpose if the use constitutes development under the Planning Act.

15 Additional criteria for the granting of a permit

The local government may grant a permit only if the proposed activity:

- (a) would not adversely affect or unreasonably detract from the amenity of the area or road;
- (b) would not unduly interfere with the usual use and enjoyment of the area or road;
- (c) can be lawfully conducted on the area or road;

- (d) is able to be conducted according to any relevant environmental, health and safety standards;
- (e) is able to be operated in accordance with best practice management for the activity;
- (f) complies with the local government's planning scheme;
- (g) will not generate significant noise, dust, odour or light pollution or other significantly adverse effects on the surrounding area;
- (h) would not adversely affect existing services located in, on or over an area or road;
- (i) is appropriate having regard to any current permits issued, or application for permits, under this local law for the site including the number of permits, their duration and the nature of any approved activity;
- (j) is appropriate having regard to the frequency at which the activity is proposed to be conducted on the approved area;
- (k) is appropriate having regard to the total number of customers proposed to be taken to the approved area;
- (l) is appropriate having regard to the impact of the activity on other users of the local government controlled area or road;
- (m) is appropriate having regard to the adequacy of any amenities or facilities considered by the local government to be reasonably necessary for the conduct of the activity;
- (n) is appropriate having regard to the economic impact on commercial operators within the approved area;
- (o) is appropriate having regard to the situation, suitability and amenity of the location in relation to neighbouring areas;
- (p) involving the use of any temporary structure will be safe, as demonstrated by the applicant within the application, including but not limited to providing relevant plans;
- (q) will not significantly detract from the capacity of a road to provide a vehicular and, where relevant, pedestrian thoroughfare; and
- (r) will not obstruct access from the footpath to kerbside parking.

16 Conditions that must be imposed on a permit

The following types of conditions must be imposed on a permit where applicable requiring the permit holder, or where applicable, its contractors or agents, to:

- (a) conduct the activity on the days and hours specified in the permit;
- (b) adhere to safety standards; and
- (c) comply with all reasonable directions of an authorised person in the time specified by the authorised person.

17 Conditions that will ordinarily be imposed on a permit

- (1) The following type of conditions will ordinarily be imposed on a permit where applicable requiring the permit holder, or where applicable its contractors or agents, to:
- (a) at least seven (7) days before the activity commences, inform residents, living adjacent to the approved area, in writing by a letter drop of the approximate activity date, the time, the nature and scale of proposed activity;
- (b) provide to its customers or any other persons undertaking the activity all necessary and appropriate information, explanations, safety equipment, warnings and other instructions necessary for the safe participation and operation of the activity;
- (c) be responsible for any costs or expenses incurred by the local government for rectifying any damage caused by the activity;
- (d) identify the points at which an operator is to access the permitted area for the purpose of undertaking the public place activity, such as roads, jetties, foreshores or other means of access;
- (e) state the number of attendees or customers to be taken or permitted on the approved area at any one time;
- (f) ensure the approved activity is only conducted on the days and during the times specified on the permit;
- (g) ensure appropriate measures are implemented to minimise any impact on the environment;
- (h) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
- (i) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by the local government;
- (j) ensure that rubbish receptacles are provided, and any waste generated as a result of the activity is collected and lawfully disposed of at a local government waste transfer station;
- (k) ensure that portable toilets are supplied, as directed by the local government and serviced for the use of the people attending the activity should insufficient facilities be available onsite;
- (l) ensure that waste from portable toilets is collected by a regulated waste transporter and disposed of lawfully at a facility licensed to accept such waste;
- (m) ~~make smoking receptacles available to collect cigarette butts, lighted matches, smoking products or any other lit materials~~ indemnify the local government against any and all claims, actions, loss and liability, including claims for personal injury and damage to property, that arise or

may arise directly or indirectly as a result of conducting the activity;

- (n) take out and maintain for the duration of the permit, a public liability insurance policy in an amount nominated by the local government, in the name of the permit holder and, if requested by the local government, note the local government as an interested party;
- (o) ensure all fees are paid by the due date outlined on the invoice by the local government;
- (p) not erect any permanent or temporary buildings, signs or structures upon the approved area unless specifically permitted under the permit;
- (q) ensure that all areas used are left in a clean and tidy condition;
- (r) ensure that any products sold as part of conducting the activity area are specifically approved under the permit;
- (s) ensure that cleaning, maintaining or repairing any vehicle, vessel, aircraft or other equipment, except for emergency repairs, does not occur on the local government controlled area or road;
- (t) ensure that activities are not undertaken within 30 metres of a deployed stinger net;
- (u) ensure appropriate measures are implemented to minimise any danger to person or property, as well as impact on the amenity of neighbouring residents or users of the road;
- (v) ensure that a person holding a recognised first aid certificate and all other certifications required by any State or Commonwealth authority is present during the operation of the activity;
- (w) only permit accredited, experienced and competent supervisors, guides or agents to oversee the operation of the activity;
- (x) accept full responsibility for the safety of customers and all other persons undertaking the activity;
- (y) provide information, explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken; ensure that any motor vehicle, vessel, aircraft or other machinery used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;
- (z) obtain any necessary permits or approvals by any government department and provide copies to the local government;
- (aa) adopt best practice management for the activity;
- (bb) ensure activities on roads are carried out so as not to obstruct the movement of vehicles, compromise road safety, pedestrians or unduly disrupt traffic; and

- (cc) supply a written report to the local government on an annual basis advising of the level of compliance with the permit signed by the operator and containing the following particulars:
- (i) the total number of persons (including employees or agents) who undertook the activity during each month of its operation together with:
 - A. a breakdown of the number of persons who undertook the activity each day (with the number of employees, contractors or agents and the number of customers separately identified); and
 - B. the times on which the activity was undertaken each day;
 - (ii) the total number of vehicle, vessel or aircraft trips undertaken by each vehicle, vessel or aircraft on each day of the month; and
 - (iii) details of any accidents or incidents which took place during the conduct of the activity each month; and
- (dd) ensure that any proposed amendment to the activity or timing is made in writing to the local government pursuant to section 14 of *Local Law No. 1 (Administration) 2016* and not carried out until approval from the local government is given.
- (2) In addition to subsection 17(1) the following type of conditions will ordinarily be imposed on a permit for footpath dining where applicable requiring the permit holder, its contractors or agents to:
- (a) ensure all tables and associated furniture used for the purpose of footpath dining are placed and shall remain at all times in the position as indicated on the approved plan;
 - (b) ensure that only the approved footpath dining area shall be utilised at any one time, and that an unobstructed distance, as determined reasonable by the local government, is maintained for pedestrian access at all times;
 - (c) ensure all approved footpath dining furniture and their environs are to be kept clean and tidy and that suitable refuse containers are provided and the area is thoroughly cleaned at the end of each business day;
 - (d) ensure all tables and associated furniture remain within the permitted area during the hours of operation;
 - (e) ensure all tables and associated furniture are secured by removal and storage inside the premises at all times outside the business hours of operation or as otherwise approved within the permit;
 - (f) ensure any umbrellas are suitably weighted or fixed to ensure there is neither uplift nor damage to property or person, to the satisfaction of an authorised person;
 - (g) ensure any footpath dining furniture not approved by the local government is not placed on the footpath at any time;

- (h) ensure any amendments to the approved plan, including any additional furniture, shall be submitted for the approval of an authorised person;
 - (i) ensure all permitted footpath dining activities are consistent with the Regulations and Standards of the *Work Health and Safety Act 2011*;
 - (j) ensure that when the footpath is not being used for approved footpath dining, that the footpath and road reserve will remain open and available for use by the public;
 - (k) where the consumption of liquor occurs within the permitted footpath dining area, ensure that an application is made to the Office of Liquor and Gaming Regulation and a copy of the approval for the consumption of liquor must be forwarded to the local government prior to the commencement of service of liquor within the footpath dining area.;
 - (l) display the permit in a clearly visible position to the public and if requested by an authorised person, produce the permit for inspection;
 - (m) comply with the provisions of the *Public Health Act 2005* and the *Food Act 2006*;
 - (n) ensure the activity does not interfere with the existing services located in, on or over a road; and
 - (o) ensure any advertising signs intended to be erected must be in accordance with any local law or planning scheme requirements relating to the regulation of advertising devices or any development permit given.
- (3) In addition to subsection 17(1) the following type of conditions will ordinarily be imposed on a permit for stationary roadside vending where applicable requiring the permit holder, its contractors or agents to:
- (a) ensure the vehicle used in the operation of the commercial use activity is parked and remains at all times in the position as indicated on the approved site plan;
 - (b) ensure the permit is displayed at all times whilst the commercial use activity is being conducted;
 - (c) comply with any policy of the local government in relation to stationary roadside vending;
 - (d) ensure a copy of the permit conditions and approved site plan are kept on site at all times and can be produced to an authorised person upon request;
 - (e) ensure that when operating outside of the CBD, advertising material is limited to one sandwich board sign only, with the dimensions of the sandwich board being no more than 900mm high x 600mm wide;
 - (f) ensure that no illuminated signage or an advertising device that emits sound is used or displayed at the vending site;
 - (g) ensure any details of amendments to the approved plan including a change of vehicle is submitted for the approval of the local government;

- (h) ensure the commercial use activity does not have any adverse effect on the existing vegetation and landscaping of the area or the environment;
 - (i) thoroughly clean areas, including nearby footpaths, driveways, shop fronts and remove all material associated with the activity at the conclusion of business each day;
 - (j) ensure that any temporary structures intended to be used as part of undertaking the activity are safe and adequate for their intended use;
 - (k) ensure that appropriate toilet arrangements, as agreed, are to be in place at all times;
 - (l) conduct the commercial use activity on the days and hours specified on the approval;
 - (m) comply with all reasonable directions of an authorised person in the time specified by the authorised person;
- (4) In addition to subsection 17(1) the following type of conditions will ordinarily be imposed on a permit for goods for sale on a footpath or road where applicable requiring the permit holder, its contractors or agents to:
- (a) display only those goods stated on the permit;
 - (b) secure goods by removal and storage inside the premises, at all times outside of the business hours of operation;
 - (c) ensure that unobstructed, pedestrian access is maintained at all times for an area and distance as determined by the local government;
 - (d) keep the goods positioned in accordance with the site plan approved by the local government;
 - (e) comply with all reasonable directions of an authorised person in the time specified by the authorised person.
- (5) In addition to subsection 17(1) the following type of conditions will ordinarily be imposed on a commercial use permit which involves the sale of food:
- (a) where the application involves any food other than whole fruit and vegetables, the applicant must submit evidence that the food was prepared in approved premises; and
 - (b) if the application is for a vending activity that involves food preparation in the vehicle, the applicant must submit copies of current certificates of Registration and Licence under the *Food Act 2006*.
- (6) In addition to subsection 17(1), the following types of conditions will ordinarily be imposed on a permit for commercial filming or photography that involves lighting and maintaining a fire, requiring the permit holder, its contractor or agent to:
- (a) nominate a designated person who is and will remain responsible for providing safety instructions, monitoring the fire as well as the conduct of persons in and around the fire for the duration of the activity;

- (b) provide adequate precautions to ensure the fire is maintained in accordance with the required standards;
- (c) only allow the fire to occur within the designated area, for the duration and within the times considered appropriate by the local government;
- (d) only use materials of a specified type in lighting or maintaining the fire;
Example
Using dry, untreated wood and not garden vegetation etc which can create unnecessary smoke issues;
- (e) not use materials of a specified type in lighting or maintaining the fire;
Example
Not use petrol or garden vegetation
- (f) comply with a standard of fireplace for use that is considered acceptable by the local government;
Example
an approved fire pit or brazier
- (g) ensure the fire is not left unattended and is completely dowsed before leaving the area; and
- (h) reinstate the area to the same condition it was in prior to the activity being conducted.

Part **54** Driving or leading animals

4318 Prescribed activity

- (1) Driving or leading of animals to cross a road is a prescribed activity.
- (2) To obtain a permit an application must be made to ~~Council~~the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

4419 Activities that do not require permit

The following activities do not require a permit:

- (a) leading of horses across a road by a member of a horse or pony club;
- (b) where no more than two animals are being led by a single person; ~~or~~
- (c) where the animals are being led or driven pursuant to an approval to operate a ~~general-public place~~ activity or a commercial use activity; or
- ~~(e)~~(d)an activity being undertaken by the local government.

4520 Additional criteria for the granting of permit

The ~~L~~local ~~G~~government may only grant a permit if the leading of animals would not unduly interfere with the proper use of the road or create a safety hazard for users of the road.

1621 Conditions that must be imposed on a permit

The following type of conditions must be imposed on a permit:

- (a) the times of day that animals may be driven or led across the road;
- (b) the number of animals that may be driven or led across the road; and
- (c) the activity must be undertaken in accordance with all relevant safety requirements.

Example for (c):

Use of traffic control measures to ensure the safety of road users.

~~those that require compliance with specified safety requirements; and
those that require the permit holder to exhibit specified warning notices and
to take other specified precautions for the safety of users of the road or
area.~~

1722 Conditions that will ordinarily be imposed on a permit

A condition that will ordinarily be imposed on a permit may require that the permit holder, its contractors or agents give specified indemnities and to take out specified insurance, where applicable.

Part 65 Depositing of goods and material

1823 Prescribed activity

- (1) Depositing of goods or materials on a local government controlled area or road is a prescribed activity.

*Example: storing building materials on a nature strip or footpath area;
placing bee hives in a reserve; or
placing a shipping container or skip bin on nature strip or footpath area.*

- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

1924 Activities that do not require a permit

~~Nil.~~ The following activities do not require a permit:

- (a) the depositing of goods or materials that is undertaken by the local government; and
- (b) the depositing of a shipping container, building materials and raw materials (“the goods or materials”) on the nature strip or footpath area (the location), provided that:
 - (i) the goods or materials are placed in the location that is adjacent to the premises for which the goods are required;
 - (ii) the goods or materials are only placed in the location for a temporary period of not more than 5 days;
 - (iii) that there is no obstruction created by the placement of the goods or

materials to traffic or pedestrians;

(iv) the goods or materials are not placed on the formed road or placed on or obstruct access to any local government infrastructure or services; and

(+)(v) that the goods or materials will be stored in the location, for the temporary period specified in subsection (ii) in a safe manner.

2025 Additional criteria for the granting of a permit

The local government may only grant a permit if the proposed activity would not:

- (a) significantly detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare;
- (b) constitute a nuisance or a danger to any person or property;
- (c) obstruct access from the footway to kerbside parking;
- (d) adversely affect the amenity of the area or the environment road; or
- (e) adversely affect the existing services located in, along, over or adjacent to a road.

2126 Conditions that must be imposed on a permit

The following type of conditions must be imposed on a permit:

- (a) the location of ~~such works or activity~~ where the goods or materials are permitted to be deposited; and
- (b) hours of operation.

2227 Conditions that will ordinarily be imposed on a permit

The following type of conditions will ordinarily be imposed on a permit, where applicable, requiring the permit holder, its contactors or agents to:

- (a) ensure unobstructed movement of vehicles and pedestrians;
- (b) take out and maintain for the duration of the permit, a public liability insurance policy in an amount nominated by the local government, in the name of the permit holder and, if requested by the local government, note the local government as an interested party ~~take out public liability insurance in an amount nominated by the local government and note the local government as an interested party on the policy~~;
- (c) indemnify the local government against any and all claims, actions, loss and liability, including claims for personal injury and damage to property, that arise or may arise directly or indirectly as a result of conducting the activity ~~indemnify the local government and any other person who has an interest in or takes a benefit from the work or activity against all claims and liability, including claims for personal injury (including death) and damage to property (including economic loss) arising directly or indirectly by, through or in connection with the works or activity~~;

- (d) observe standards specified by the local government in the carrying out of the works or activity including complying with best practice management;
- (e) ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;
- (f) specify a deadline for completion of the works or ceasing of the activity;
- (g) reinstate the local government controlled area and road to a specified standard following completion of the works or ceasing of the activity; and
- (h) lodge security for performance of any requirement under this local law or any condition of the permit.

Part 7 Alteration or improvement to local government controlled areas or roads

2328 Prescribed activity

- (1) Alteration or improvement to local government controlled areas and roads is a prescribed activity.

Example: planting, clearing or damaging trees on a footpath.

Example: construction of a garden bed on a footpath.

Example: installation of boarding, scaffolding or gantry on road reserve.

- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

2429 Activities that do not require permit

The following activities do not require a permit under this local law:

- (1) Planting vegetation on road verges that complies with:
- the Far North Queensland Regional Organisation of Council's Development Manual (FNQROC);
 - ~~the local government's~~ Council's "Planning Scheme Policy - Landscaping"; and
 - ~~Council's~~ the local government's General Policy, "Vegetation on Council Controlled Land: Planting, Removal and Maintenance".
- ~~(2) Pruning, trimming or otherwise damaging a tree on road verges, provided it is undertaken in accordance with:~~
- ~~Australian Standard Pruning of amenity trees AS 4373-2007;~~
 - ~~Australian Standard Protection of trees on development sites AS4970-2009;~~
 - ~~Council~~ local government ~~adopted master plans;~~ and
 - ~~is carried out by a qualified arborist.~~
- ~~(2) An alteration or improvement to local government controlled areas and roads that is undertaken by the local government.~~
- ~~(3) An activity conducted by an approved electricity provider when undertaking maintenance or construction on the electrical network within a local government controlled area or road.~~
- Example:
- Ergon Energy
- ~~(3)~~ (4) The installation of a low-impact facility that is exempt pursuant to Schedule 3 of the Telecommunications Act 1997 and the Telecommunications (Low-impact Facilities) Determination 1997.

2530 Additional criteria for the granting of permit

The local government may only grant a permit if the works or activity will not:

- (a) detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare;
- (b) ~~significantly~~ cause a nuisance or danger to any person or property;
- (c) ~~significantly~~ obstruct access from the footway to kerbside parking;
- (d) adversely affect the amenity of the area or the ~~environment~~road; ~~and~~
- (e) adversely affect existing services located in, on, over or adjacent to a road.

2631 Conditions that must be imposed on permits

The following type of conditions that must be imposed on a permit, where applicable:

- (a) the works or activity must not ~~significantly~~ detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare;
- (b) the pedestrian thoroughfare must:
 - (i) be maintained at a minimum width as determined by the local government; and
 - (ii) have protective safety barriers, mesh and bollards installed to the standard required by the local government to ensure full pedestrian safety;
- ~~(a)~~(c) the works or activity must not ~~significantly~~ cause a nuisance or danger to any person or property;
- ~~(b)~~(d) the works or activity must not ~~significantly~~ obstruct access from the footway to kerbside parking;
- ~~(c)~~(e) the works or activity must not adversely affect the amenity of the area or the environment;
- ~~(d)~~(f) the works or activity must not adversely affect existing services located in, on, over or adjacent to a road;
- ~~(e)~~(g) the location of such works or activity;
- ~~(f)~~(h) the measures to ensure unobstructed movement of vehicles and pedestrians;
- ~~(g)~~(i) the hours of operation;
- ~~(h)~~(j) take out and maintain for the duration of the permit, a public liability insurance policy in an amount nominated by the local government, in the name of the permit holder and, if requested by the local government, note the local government as an interested party~~the requirement to take out public liability insurance in the amount of twenty million dollars (\$20,000,000.00) and to note the local government as an interested party on the policy;~~
- ~~(i)~~(k) indemnify the local government against any and all claims, actions, loss

and liability, including claims for personal injury and damage to property, that arise or may arise directly or indirectly as a result of conducting the activity~~indemnification of the local government by the holder of the permit and any other person who has an interest in or takes a benefit from the workor activity against claims for personal injury (including death) and damage to property (including economic loss) arising directly or indirectly by, through or in connection with the works or activity;~~

- ~~(j)~~(l) lodgment of sufficient security to ensure performance;
- ~~(k)~~(m) specification of a deadline for completion of the works or ceasing of the activity;
- ~~(h)~~(n) standards to be observed in the carrying out of the works or activity;
- ~~(m)~~(o) reinstatement of the road to specified standards following completion of the works or ceasing of an activity;
- ~~(n)~~(p) requirements to ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades to the satisfaction of an authorised person;
- ~~(o)~~(q) comply with best practice management; and
- (r) comply with the requirements of relevant legislation, Australian standards and / or the FNQROC Development Manual.

2732 Conditions that will ordinarily be imposed

- (1) The following type of conditions will ordinarily be imposed on a permit, where applicable ~~requiring the permit holder, its contactors or agents to:~~
 - (a) the local government reserves the right to remove vegetation on local government controlled areas or roads at any time for whatever purpose and where such removal occurs, the local government is not liable to pay any compensation to any person;
 - (b) any alteration or improvement must comply with Crime Prevention through Environmental Design Policy guidelines (CPTED).
 - (c) engage 'Dial before you dig' to ensure proposed planting does not conflict with underground services.
 - (d) ensure that any works constructed pursuant to a permit issued under this Part are maintained in good order and repair and are not allowed to become:
 - (i) a nuisance to any person;
 - (ii) a danger to any person or property; or
 - (iii) create a potential danger to public safety for all road and footway users.
 - (e) ensure that the works or activity is carried out by a qualified arborist, where required, and complies with:-

~~(f) — comply with:~~

- (i) Australian Standard Pruning of amenity trees AS 4373-2007 (and as amended from time to time);
- (ii) Australian Standard Protection of trees on development sites AS4970-2009 (and as amended from time to time); and
- ~~(iii) — any local government council adopted master plans; and~~
- ~~(iv)(iii) — FNQROC Development Manual.~~

Part **87** Bringing or driving motor vehicles onto local government controlled areas

2833 Prescribed activity

- (1) Bringing a motor vehicle onto, or driving a motor vehicle on, a place that is:
 - (a) within a local government controlled area; and
 - (b) not within a motor vehicle access area identified in Column 1 of Schedule 4 of *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016*.

is a prescribed activity.

Example: ~~riding an unregistered motor bike on the Esplanade reserve~~

Driving a motor vehicle onto the reserve adjacent to a beach to set up a wedding.

Driving a motor vehicle onto the Esplanade Reserve to set up for an event.

- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

2934 Activities that do not require a permit

The following activities do not require a permit:

- (1) Access to a local government controlled area:
 - (a) by the local government or a contractor authorised by the local government, for the purposes of repairing or maintaining a local government facility;
 - (b) required by emergency service vehicles; and;
 - (c) required as part of an approved temporary entertainment event permit, commercial use permit or a public place activity permit where the area has been approved as part of the permit conditions.

3035 Additional criteria for the granting of a permit

- ~~(1) — The local government will only grant a permit for:~~

- ~~(2)~~(1) ~~_____ access to a temporary entertainment event for which the applicant has received a permit for the purposes of general activities on a local government controlled area for which the applicant has received a permit.~~ The local government may not grant a permit if access by the motor vehicle will:
- (a) unduly interfere with the usual use and enjoyment of the area;
 - (b) impact on the natural resources and native wildlife of the area;
 - (c) cause damage to the area; or
 - (d) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood area or other users of the area.

3136 Conditions that must be imposed on a permit

The following type of conditions must be imposed on a permit, where applicable:

- (a) the dates for which the permit is valid and the when activity may occur;
- (b) the specific vehicle or type of motor vehicle permitted;
- (c) speed limits;
- (d) the parts of the local government controlled area that may be accessed by the motor vehicle notwithstanding any contrary restrictions in the area;
- (e) a copy of the permit must be displayed on the dashboard of each motor vehicle while it is within the local government controlled area;
- (f) the permit holder must ensure the safety of other users of the local government controlled area arising from the carrying out of the approved activity; and
- (g) the permit holder must give at least 24 hours' notice of the motor vehicle access to affected neighbours of the area.

Part 98 Bringing or driving prohibited vehicles onto motor vehicle access areas

3237 Prescribed activity

- (1) Bringing a prohibited vehicle, identified in Schedule 4 Column 2 of *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016*, onto or driving a prohibited vehicle, on a specified motor vehicle access area identified in Column 1 of Schedule 45 is a prescribed activity.

Example: ~~riding an unregistered motor bike on the Red Arrow walking track~~

- (2) To obtain a permit an application must be made to Council the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

Note: refer to section 46 of this Local Law for a motor vehicle access area.

3338 Activities that do not require a permit

The following activities do not require a permit:

- (1) Access to a local government controlled area by the local government or an contractor authorised ~~contractor by the local government~~ for the purposes of repairing or maintaining a local government facility; ~~and~~
- (2) emergency service vehicles; ~~and~~
- ~~(1)(3)~~ vehicles used by surf lifesaving.

3439 Additional criteria for the granting of a permit

The following criteria are criteria that must be considered in deciding whether or not to grant a permit:

- (a) whether the prohibited vehicle access will:
 - (i) unduly interfere with the usual use and enjoyment of the area;
 - (ii) cause damage to the area; and
 - (iii) generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood area.

3540 Conditions that must be imposed on a permit

The following conditions are conditions that must be imposed on a permit:

- (a) limit the parts of the area accessed and the hours of day when the prohibited vehicle access is permitted;
- (b) require compliance with specified safety requirements; and
- (c) require the operator to take specified measures to reduce adverse effects of the prohibited vehicle access on the users of the area or surrounding neighbourhood area to acceptable levels.

Part 109 Intoxicating liquor

Division 1 Offence relating to intoxicating liquor

3641 Possession of intoxicating liquor

- (1) A person shall not take intoxicating liquor on to a local government controlled area or road or be in possession of intoxicating liquor in an area or road unless the local government has authorised the area or road as a place where intoxicating liquor may be taken or be possessed.

Maximum penalty—10 penalty units.

- ~~(1)(2)~~ The provisions of this section shall not apply to any person who is transporting intoxicating liquor directly through or along any area or road for legal consumption or use at some other place provided that the person does not tarry in the area or road or use the area or road for any purpose other than access while in possession of such intoxicating liquor.

~~Maximum penalty for subsection (1) – 10 penalty units.~~

Division 2 Enforcement

3742 ~~Compliance notice~~ Verbal direction to comply

- (1) If a person (an "offender") engages in conduct that is a contravention of a provision of this Part, an authorised person may require the offender, by ~~compliance notice issued under section 26 of Local Law No. 1 (Administration) 2016~~ giving a verbal direction:
 - (a) if the conduct is still continuing, to stop the conduct; and
 - (b) whether or not the conduct is still continuing, to take specified action to remedy the contravention.

3843 Power to secure compliance

- (1) If an offender does not comply with a ~~compliance notice~~ verbal direction given under section 42 within ~~a reasonable time but no longer than 15 minutes of being given the verbal direction~~, the authorised person may take action reasonably necessary to have the notice carried out ~~and may use reasonable force for the purpose~~.
- (2) If an offender ~~possesses intoxicating liquor in a local government controlled area or road in contravention of this local law, and~~ does not comply ~~immediately with a requirement subsection (1) under a compliance notice to remove it from the area or road~~, an authorised person may confiscate the intoxicating liquor.
- (3) ~~An authorised officer~~ When confiscating intoxicating liquor in accordance with this Part, ~~the authorised person may~~ shall confiscate all intoxicating liquor in the possession of the offender at the time ~~of the offence~~.

Division 3 Confiscated intoxicating liquor

3944 Disposal of confiscated intoxicating liquor

- (1) When an authorised ~~officer~~ person exercises a power under this local law to confiscate intoxicating liquor, the property in the intoxicating liquor vests in the local government upon confiscation.
- (2) If an authorised ~~officer~~ person confiscates intoxicating liquor under this local law the intoxicating liquor may be disposed of as the chief executive officer directs.

Part **110** Miscellaneous

4045 Opening hours of local government controlled areas

- (1) The opening hours for a local government controlled area are the hours specified by an official sign approved by the local government and placed at each public entrance to the area.

- (2) If there is no defined public entrance to the area, signs must be installed so that they are clearly visible to members of the public using the area.
- (3) A person must not enter or remain in a local government controlled area outside the opening hours unless the person is authorised to do so by the Chief Executive Officer.

Maximum penalty ~~for subsection (3)~~—20 penalty units

4146 Motor vehicle access to local government controlled areas

- (1) A **motor vehicle access area** is an area within a local government controlled area that is:
 - (a) a car park or roadway for which there is no sign or traffic control device indicating that vehicles owned by members of the public are excluded; or
 - (b) identified under Schedule 4 of *Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016* as a motor vehicle access area.
- (2) The specific type of motor vehicle (a prohibited vehicle) identified in Column 2 of Schedule [54](#) of *Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016* is prohibited in the areas identified in Column 1 of Schedule [45](#).
- (3) The local government must take reasonable steps including, as a minimum, the display of a notice at a prominent place within each motor vehicle access area identified in Column 1 of Schedule [54](#) of *Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016* stating:
 - (a) a description of the motor vehicle access area;
 - (b) a description of any prohibited vehicles for the area; and
 - (c) in general terms, the provisions of sections [2833](#) and [3237](#) of this local law.

4247 Power of closure of local government controlled areas

- (1) The local government may, by resolution, temporarily close a local government controlled area to public access:
 - (a) to carry out construction, maintenance, repair or restoration work;
 - (b) to protect the health and safety of a person or the security of a person's property;
 - (c) because of a fire or other natural disaster; or
 - (d) to conserve or protect the cultural or natural resources of the area or native wildlife.
- (2) A resolution under subsection (1):
 - (a) must state a period, not greater than 6 months, during which the area will be closed; and

- (b) must be revoked by the local government as soon as practicable after the local government becomes satisfied that the reason for making the resolution no longer exists.
- (3) Schedule 5 of *Subordinate Local Law No.11 (Local Government Controlled Areas and Roads) 2016* identifies areas the local government has permanently closed to public access for any of the following reasons:
- (a) the conservation of the cultural or natural resources of the area, including, for example:
- (i) to protect significant cultural or natural resources;
 - (ii) to enable the restoration or rehabilitation of the area;
 - (iii) to protect a breeding area for native wildlife;
 - (iv) to manage a significant Aboriginal area in the area in a way that is consistent with Aboriginal tradition; or
 - (v) to manage a significant Torres Strait Islander area in a way that is consistent with Island custom;
- (b) protection of the health and safety of members of the public;
- (c) protection of a facility or service in the area, including, for example, infrastructure, water supply facilities or power generating equipment;
- (d) protection of the amenity of an area adjacent to the area; or
- (e) the orderly or proper management of the area.
- (4) If the local government closes a local government controlled area under subsections (1) or (3), it must place at each public entrance to the area a notice of the closure, including a statement of the duration of the closure.

Example:

If the local government closes an area that is part of a wider local government controlled area, it must place notices at each public entrance to the closed area.

- (5) A person must not enter or remain in a local government controlled area while it is closed to public access under this section, unless the person is authorised to do so by the chief executive officer.

Maximum penalty ~~for subsection (5)~~—20 penalty units.

- (6) In this section:

significant Aboriginal area see the *Aboriginal Cultural Heritage Act 2003*, section 9.

significant Torres Strait Islander area see the *Torres Strait Islander Cultural Heritage Act 2003*, section 9.

4348 Power to require owner of land adjoining road to fence land

- (1) This section applies if, in the local government's opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of:

- (a) animals escaping from the land onto the road; or
 - (b) interference with the safe movement of traffic or the safe use of the road.
- (2) The local government may, by giving a compliance notice to the owner:
- (a) if the land is not currently fenced, require the owner to fence the land; or
 - (b) if a current fence on the land is in disrepair, require the owner to repair or replace the fence.
- (3) The minimum standards with which the fence must comply are:
- (a) it must be structurally sound;
 - (b) 1.2 m high;
 - (c) extend across the whole of the road frontage except for gates for the driveway and walking path; and
 - (d) must have gates for the driveway and walking path that are able to be securely fastened and that do not open outwards towards the road.

4449 Numbering of premises and allotments adjoining a road

- (1) An owner, occupier or responsible person of land must not adopt a number for a building or allotment that is inconsistent with a numbering system adopted by the local government under this section.

Maximum penalty for subsection (1)—10 penalty units.

- (2) An owner, occupier or responsible person of land (other than vacant land) must display the number allocated by the local government so as to be easily identified from the adjoining road.

Maximum penalty for subsection (2)—10 penalty units.

4550 Detailed area management plans

Where the local government prepares detailed management plans, identified in Schedule 6 of the *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016*, for local government controlled areas or roads those detailed management plans may explicitly provide for the operation of sections of this local law to be varied or suspended by operation of the plan.

Part 124 Subordinate local laws

4651 Subordinate local laws

The local government may make subordinate local laws about:

- (a) the declaration of prohibited activities and restricted activities and identify particular local government controlled areas and roads where the activities are prohibited or restricted and the extent of the restriction;
- (b) ~~general~~ public place activities or commercial use activities on local

- government controlled areas and roads;
- (c) motor vehicle access areas;
- (d) prohibited vehicles; and
- (e) detailed area management plans.

CERTIFICATION

~~This and the preceding 24 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 11 (Local Government Controlled Areas, Facilities and Roads) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo~~

~~Chief Executive Officer~~

~~Cairns Regional Council~~



**Cairns Regional Council
Subordinate Local Law No.11
(Local Government Controlled Areas and Roads) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved	1
3 Authorising local law	1
Schedule 1 – Local government controlled areas	2
(1) Parks and reserves in the local government area	2
(2) Drainage reserves in the local government area	57
(3) Foreshore reserves and bathing reserves in the local government area	103
(4) Cemeteries in the local government area	104
(5) Libraries in the local government area	105
(6) Roads in the local government area	106
(7) Camping Grounds and areas for camping in the local government area	107
(8) Caravan parks in the local government area	108
(11) Other areas controlled by the local government	112
Schedule 2 - Prohibited activities for local government controlled areas or roads	113
Schedule 3 - Restricted activities for local government controlled areas or roads	131
Schedule 4 - Motor vehicle access areas / bringing or driving prohibited vehicles onto motor vehicle access areas.....	136
Schedule 5 - Permanent closure of local government controlled areas	137
Schedule 6 – Detailed Area Management Plans	139

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 11 (Local Government Controlled Areas and Roads) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.11 (Local Government Controlled Areas and Roads) 2016* in order to allow appropriate use of and to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads, and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for the following schedules which support the local law:
 - (a) Schedule 1- Local government controlled areas;
 - (b) Schedule 2- Prohibited activities in local government controlled areas and roads;
 - (c) Schedule 3- Restricted activities in local government controlled areas and roads;
 - (d) Schedule 4- General activities that are prescribed activities;
 - (e) Schedule 5- Motor vehicle access areas / bringing or driving prohibited vehicles onto motor vehicle access areas;
 - (f) Schedule 6 – Permanent closure of local government controlled areas and roads; and
 - (g) Schedule 7- Detailed Area Management Plans.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.11 (Local Government Controlled Areas and Roads) 2016* (the **authorising local law**).

Schedule 1 – Local government controlled areas

~~(1) Parks and reserves in the local government area~~

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
ACACIA STREET PARK	Poinsettia Street	HOLLOWAYS BEACH	87166	235NR5479
ADVENTURE CLOSE PARK	Bi-Centennial Road	BENTLEY PARK	69822	998RP749266
ADVENTURE GULLY PARK	Jasmine Street	REDLYNCH	93375	384RP851527
AEROGLEN DRIVE RESERVE	Mayers Street	STRATFORD	57334	756NR6265
AINSCROW DRIVE PARK	Walker Road	BENTLEY PARK	152737	904SP214831
ALBERTA DRIVE PARK	Windarra Street	WOREE	62633	866NR7840
ALFINA STREET PARK	Timberlea Drive	BENTLEY PARK	98579	501RP904515
ALLEN-PHILLIPS PARK	Gates Close	EDMONTON	116219	501SP144046
ALLEY PARK	Sheppards Street	GORDONVALE	73876	609NR4956
ALLEY PARK	Sheppards Street	GORDONVALE	73868	86NR5022
ALLEY PARK	Sheppards Street	GORDONVALE	73872	611NR4956
ALLINGA CLOSE PARK	Allinga Close	BENTLEY PARK	69091	979RP850105
ALLINGA CLOSE PARK	Robert Road	BENTLEY PARK	107300	976SP136769

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
ALLYSON STREET PARK	Anne Street	SMITHFIELD	96812	3RP720067
ALLYSON STREET PARK	Anne Street	SMITHFIELD	98443	985RP867092
ALPHA CLOSE RESERVE	Kingfisher Close	BAYVIEW HEIGHTS	64226	764NR6415
ANCHOR CLOSE PARK	Seashell Crescent	TRINITY BEACH	145865	139SP214833
ANDERSON STREET CONSERVATION PARK	Mayers Street	MANOORA	86543	754NR6132
ANGOR ROAD PARK	Angor Road	TRINITY PARK	127058	902SP197996
ANZAC PARK	Abbott Street	CAIRNS CITY	54705	12CP898622
ANZAC PARK	Eastwood Street	BABINDA	76811	603NR7472
ANZAC PARK	Eastwood Street	BABINDA	76810	604NR7472
APEX PARK	Charles Street	CAIRNS NORTH	56251	2NR7444
APOLLO QUAY RESERVE	Harbour Drive	TRINITY PARK	117008	903SP165903
ARAWA STREET PARK	Captain Cook Highway	TRINITY BEACH	90044	64RP728029
AROONA ST PARK	Fig Tree Drive	CARAVONICA	91833	490RP749666
ARTHUR STRIKE PARK	Fisherman Road	EDMONTON	68277	143SP110847
AURELIA RD PARK	Muller	PALM COVE	123703	900SP181538
AVONDALE CREEK PARK	Kennedy Highway	SMITHFIELD	145479	992SP207010

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
B-R RILEY PARK	De Vecchi Close	EDMONTON	98484	990RP893036
BAK PARK	Progress Road	WHITE ROCK	66313	380NR3197
BALMORAL CLOSE PARK	Bruce Highway	MOUNT SHERIDAN	67520	994RP857676
BAMBOO RESERVE	Palm Street	HOLLOWAYS BEACH	87253	68RP735040
BANAGIDIRRI PARK	Hardy Road	MOUNT SHERIDAN	67318	202RP748716
BARLOW PARK SPORTSFIELD	Severin Street	PARRAMATTA PARK	51157	768NR6238
BARLOW PARK SPORTSFIELD	Severin Street	PARRAMATTA PARK	51157	768NR6238
BARNACLE STREET PARK	Catamaran Circuit	TRINITY BEACH	132465	802SP212575
BARNARD DRIVE PARK	Barnard Drive	MOUNT SHERIDAN	67192	995RP881003
BARNES STREET PARK	Barnes Street	EARLVILLE	102970	36RP846910
BARONIA RESERVE	Wistaria Street	HOLLOWAYS BEACH	87555	1NR7813
BARRIER REEF PARK	Hannam Street	WESTCOURT	47222	33RP718378
BARRINE COURT PARK	Lake Placid Road	CARAVONICA	92028	4NR7500
BARRINE COURT PARK	Lake Placid Road	CARAVONICA	107662	2SP134293
BARRON MOUTH RESERVE	Coral Sea/Barron River Mouth (No Road, it's an island)	AEROGLEN	88506	51NR3159

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
BARRON WATERS PARK/BURRAWUNGAL PARK	Lake Placid Road	CARAVONICA	92029	32RP747474
BASSETT ST PARK	Bassett Street	KANIMBLA	111730	999SP165252
BATAAN ST PARK	Reed Road	TRINITY PARK	84586	220RP729482
BATHURST DRIVE WEST PARK	Bathurst Drive	BENTLEY PARK	70131	996RP850099
BATHURST DRIVE WEST PARK	Bathurst Drive	BENTLEY PARK	70132	981RP843502
BEATRICE PARK (AH-CHING PARK)	Begonia Place	MOOROOBOOL	58431	500NR7273
BEDARRA CLOSE PARK	Idalia Road	MOUNT SHERIDAN	106444	995RP892234
BEDARRA CLOSE PARK	Idalia Road	MOUNT SHERIDAN	97125	980RP892234
BEHAN STREET RESERVE	Mayers Street	STRATFORD	57322	100CP864219
BEHANA CREEK PICNIC PARK	Moller Road	ALOOMBA	76111	4NR808536
BEL AIR PARK	Hillview Crescent	WHITFIELD	119840	700SP178672
BELLBIRD PARK	Anderson Road	BAYVIEW HEIGHTS	65369	20NR7161
BENN PARK (A)	Merrybrook Street	FRESHWATER	94818	38RP725860
BENN PARK (B)	Merrybrook Street	FRESHWATER	94817	11RP724706

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
BESSIE PT RECREATION RESERVE	Pine Creek-Yarrabah Road	EAST TRINITY	72121	111NR7962
BEST STREET RESERVE	Best Street	YORKEYS KNOB	85674	184RP706703
BEST STREET RESERVE	Best Street	YORKEYS KNOB	85675	181RP706703
BEST STREET RESERVE	Best Street	YORKEYS KNOB	86732	196RP706703
BEST STREET RESERVE	Best Street	YORKEYS KNOB	86731	195RP706703
BETTY GIBSON PARK	Opal Reef Court	CLIFTON BEACH	81335	99RP854435
BIG PARK	Lum Jim Street	REDLYNCH	131265	999SP204567
BIGGS RD RESERVE	Price Road	BARTLE FRERE	78945	1RP850098
BILGOLA DRIVE PARK	Bilgola Drive	KEWARRA BEACH	115899	127SP166355
BILGOLA DRIVE PARK	Bilgola Drive	KEWARRA BEACH	115898	126SP166355
BILGOLA DRIVE PARK	Bilgola Drive	KEWARRA BEACH	115904	128SP166355
BILL MILLS PARK	Benjamina Street	MOUNT SHERIDAN	117907	2011SP175709
BILL WAKEHAM PARK	Mill Street	BABINDA	76990	132SP246994
BILLY JAGAR ENVIRONMENTAL RESERVE	Caribbean Street	HOLLOWAYS BEACH	88191	184NR6528
BLACKFELLOWS CREEK PARK	Nindii Close	EDMONTON	157949	900SP264288
BLACKFELLOWS CREEK PARK	Whereat Road	EDMONTON	157950	901SP264288

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
BLANTYRE PARK	Blantyre Close	MANUNDA	104434	28RP726811
BLOOMFIELD CLOSE PARK	Bloomfield Close	MOUNT SHERIDAN	99954	978SP103363
BLOOMFIELD CLOSE PARK	Echo Close	MOUNT SHERIDAN	99955	979SP103363
BOOYONG DRIVE PARK	Booyong Drive	MOUNT SHERIDAN	121821	2010SP187411
BOURKE CLOSE PARK	Bourke Close	MOUNT SHERIDAN	67107	999RP857554
BOURKE CLOSE PARK	Bourke Close	MOUNT SHERIDAN	67044	998RP857720
BOWLINE CLOSE PARK	Bowline Place	TRINITY BEACH	127815	902SP198634
BOXWOOD CLOSE PARK	Snowwood Close	MOUNT SHERIDAN	66818	803RP862239
BOYCE ST PARK	Cliffdale Street	BENTLEY PARK	97507	999RP893015
BRAMSTON BEACH ENVIRONMENTAL RESERVE	Bramston Beach Road	BRAMSTON BEACH	79112	93CP899445
BRAMSTON BEACH RESERVE	Bramston Beach Road	BRAMSTON BEACH	127099	800SP198006
BRINDABELLA QUAY RESERVE	Harbour Drive	TRINITY PARK	117007	902SP165903
BRINMEAD ROAD PARK	Brinsmead Terrace	BRINSMEAD	146908	14SP208086
BRINSMEAD PARK RESERVE	Brinsmead Road	BRINSMEAD	95289	504NR7234
BRINSMEAD ROAD PARK	Brinsmead Road	BRINSMEAD	128530	904SP192169

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
BRINSMEAD ROAD RESERVE	Charlekata Close	FRESHWATER	94377	2RP712708
BROLGA PARK	Gannet Street	KEWARRA BEACH	82218	22RP748913
BROLGA PARK	Gannet Street	KEWARRA BEACH	81720	211NR6930
BRONCO PL PARK	Gillies Range Road	LITTLE MULGRAVE	75584	28RP867118
BRONTE CLOSE PARK	Mia Street	KEWARRA BEACH	114336	901SP165912
BRONTE CLOSE PARK	Mia Street	KEWARRA BEACH	113985	900SP165896
BROWN INDUSTRIAL PARK	Nelson Street	BUNGALOW	50251	49RP714522
BUCHAN SPORTS FIELDS	Buchan Street	PORTSMITH	156883	2SP252410
BUCKINGHAMIA CLOSE PARK	Kamerunga Road	REDLYNCH	124438	901SP188674
BUGEJA PARK	Cassowary Street	FRESHWATER	94782	638NR6892
BULLRUSH TERRACE PARK	Waterlilly Street	KEWARRA BEACH	112609	213SP160473
BUNNY JARRETT PARK	McManus Street	WHITFIELD	99221	145RP717692
BURN CLOSE PARK	Dempsey Street	GORDONVALE	122635	998SP184864
BURRANONG PARK	Burrnong Street	KEWARRA BEACH	98987	201RP825777
BURRANONG PARK	Burrnong Street	KEWARRA BEACH	109941	211SP152634
BUTLER RESERVE	Butler Street	BRINSMEAD	95862	999RP748232

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
BYRNES HILL PARK	Walsh Street	EDGE HILL	102865	85RP713475
BYRON TERRACE PARK	Byron Terrace	REDLYNCH	123665	900SP180028
CADDY RESERVE	Caddy Street	YORKEYS KNOB	86461	105RP727750
CADDY RESERVE	O'Brien Road	YORKEYS KNOB	105968	234SP122860
CADELL STREET PARK	Bundey Street	BENTLEY PARK	146396	991SP210233
CAESAR PARK	Pomona Avenue	MOOROOBOOL	59210	676NR7041
CAIRNS CENTRAL SWAMPLANDS	Severin Street	PARRAMATTA PARK	109193	119SP136287
CAIRNS CENTRAL SWAMPLANDS	Severin Street	PARRAMATTA PARK	109197	123SP136287
CAIRNS CENTRAL SWAMPLANDS	Severin Street	PARRAMATTA PARK	109194	120SP136287
CAIRNS CENTRAL SWAMPLANDS	Wilkinson Street	MANUNDA	109199	124SP136301
CAIRNS CENTRAL SWAMPLANDS	Wilkinson Street	MANUNDA	109196	122SP136287
CAIRNWELL STREET PARK	Sidlaw Street	SMITHFIELD	85182	202RP749574
CALANNA PARK	Angela Street	WOREE	61764	157RP727223
CANECUTTER ROAD PARK	Canecutter Road	EDMONTON	107717	504SP139716
CANECUTTER ROAD PARK	Wiseman Road West	EDMONTON	153914	904SP232835

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
CANTONI PARK	Woomera Street	BAYVIEW HEIGHTS	63860	347RP726696
CARD AVENUE PARK	Kiernan Street	MANUNDA	105273	49RP724968
CARL MELLICK PARK	Harwood Drive	BABINDA	77043	37RP846519
CARNE PARK	Ragnar Street	EDMONTON	71751	1RP728640
CARRUTHERS ST PARK	Carruthers Street	EDMONTON	106948	997SP133373
CASSIA STREET RESERVE	Coconut Street	HOLLOWAYS BEACH	87781	100CP894862
CATTANA ROAD PARK	Cattana Road	SMITHFIELD	125551	997SP187413
CATTANA WETLANDS ENVIRONMENTAL PARK	Cattana Road	SMITHFIELD	85289	3RP865122
CATTANA WETLANDS ENVIRONMENTAL PARK	Dunne Road	SMITHFIELD	85292	5RP865122
CATTANA WETLANDS ENVIRONMENTAL PARK	Cattana Road	SMITHFIELD	85290	2SP268644
CENTAUR PARK	Reed Road	TRINITY PARK	145572	940SP207590
CENTENARY LAKES (FRESHWATER)	Collins Avenue	EDGE HILL	131684	401SP201236
CENTENARY PARK	Marmion Close	TRINITY BEACH	84523	2RP902180
CENTENARY PARK (SALTWATER)	Collins Avenue	EDGE HILL	131687	615SP201236
CHAPEL CLOSE PARK	Bel-Air Drive	BRINSMEAD	109710	900SP153384
CHARLES TODD PARK	Rudder Street	CLIFTON BEACH	80837	61RP730674

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
CHARLIE BUTLER PARK	Bathurst Drive	BENTLEY PARK	70175	998RP840912
CHATAWAY STREET PARK	McCoombe Street	MOOROOBOOL	48646	35RP715799
CHATHAM TERRACE PARK	Chatham Terrace	SMITHFIELD	158027	29SP263781
CHESTERFIELD CLOSE PARK	West Parkridge Drive	BRINSMEAD	111710	902SP160329
CHEVIOT STREET RESERVE	Captain Cook Highway	SMITHFIELD	85303	201RP749573
CHIRIO DRIVE PARK	Chirio Drive	REDLYNCH	98248	25RP901760
CITY PLACE	CNR Lake Street and Shields Street	CAIRNS CITY		
CITYVIEW PARK (STRATHMORE PARK)	City View Crescent	MOOROOBOOL	90623	992RP750075
CLARKE AND WALLACE PARK	Clarke Street	MANUNDA	105222	3C198323
CLIFFDALE STREET PARK	Calvert Close	BENTLEY PARK	125377	996SP189717
CLIFTON STINGER NET PARK	Clifton Beach	CLIFTON BEACH		
CLOSE STREET PARK	Close Street	MOOROOBOOL	59119	998RP838319
COASTLINE PARADE PARK	Coastline Parade	TRINITY BEACH	158451	500SP265185
COASTLINE PARADE PARK	Beachfront Avenue	TRINITY BEACH	158452	501SP265185

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
COASTWATCHER PARK	Trinity Beach Road	TRINITY BEACH	82793	363RP729082
COLIN PENRIDGE PARK	Murchison Street	WHITFIELD	10085	1RP722565
COMINOS PLACE PARK	Cominos Place (Road Reserve)	MANUNDA		
COMMUNITY CENTRE	Poolwood Road	KEWARRA BEACH	81731	503RP808204
COMPTON COURT NTH PARK	Compton Court	BENTLEY PARK	97615	995RP882234
COMPTON COURT STH PARK	Compton Court	BENTLEY PARK	97613	996RP882234
CONNEMARA PARKLAND	Connemara Close	TRINITY BEACH	82676	1RP724384
GONNEMARA PARKLAND	Connemara Close	TRINITY BEACH	83284	250NR6431
CONSTABLE GENE POOLE PARK	Mighell Close	GORDONVALE	74726	64RP749145
CORCORAN STREET PARK	Hickey Close	GORDONVALE	74922	6RP747250
COTTESLOE DRIVE PARK	Cottesloe Drive	KEWARRA BEACH	131951	905SP207575
CRATHERN CL PARK (GEORGE BROUGHTON)	Crathern Close	EDGE HILL	103494	762NR6382
CROCODILE PARK	Cottesloe Drive	KEWARRA BEACH	82449	1NR7336
CROCODILE PARK	Yanchep Close	KEWARRA BEACH	82434	225RP747597

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
CROCODILE PARK RESERVE	Cottesloe Drive	KEWARRA BEACH	82313	69SP256612
CROWLEYS PARK	Blueberry Close	MOUNT SHERIDAN	105533	976SP118899
CROWLEYS PARK	Blueberry Close	MOUNT SHERIDAN	106382	975SP126539
CRYSTAL CASCADES PARK	Redlynch Intake Road	REDLYNCH	93493	5NR8032
CRYSTAL CASCADES PARK	Lake Morris Road	LAMB RANGE	93492	50NR6547
CURLEW PARK	Chelsea Close	KEWARRA BEACH	89106	31RP880965
CURTIN AND CREEDY STREETS PARK	Creedy Street	WESTCOURT	47536	25RP722994
DALTON STREET PARK	Dalton Street (Road Reserve)	BUNGALOW		
DALZIEL STREET PARK	Kamerunga Road	STRATFORD	93804	1NR7534
DAVID TREGO WILLIAMS PARK	Seton Street	TRINITY PARK	128779	907SP197998
DEADMANS GULLY RESERVE	Upolu Esplanade	CLIFTON BEACH	80762	230SP256611
DEADMANS GULLY RESERVE	Upolu Esplanade (Road Reserve)	CLIFTON BEACH		
DEBBIE STREET PARK	Debbie Street	TRINITY PARK	117014	909SP165903
DEMPSEY STREET PARK	Devine Crescent	GORDONVALE	153168	900SP212587

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
DOC HOYLT PARK	Upper Richardson Street	WHITFIELD	100872	10RP719296
DONOVAN CLOSE PARK	Donovan Close	EDMONTON	71375	997RP854424
DONOVAN CLOSE PARK	Donovan Close	EDMONTON	68668	995RP851627
DOROTHY SCHEINPLUG PARK	Glen Boughton Street	AEROGLEN	57482	19RP749119
DOUGLAS TRACK PARK	Douglas Track Road	KAMERUNGA	91487	35RP804196
DOUGLAS TRACK SOUTH PARK	Douglas Track Road	KAMERUNGA	91477	33RP804194
DOWN PARK	Thomson Road	EDMONTON	68273	41SP253555
DRAPER PLACE PARK	Mona Street (Road Reserve)	WHITFIELD		
DRIFT CLOSE PARK	Goldsborough Road	GOLDSBOROUGH	123100	999SP184858
DUGONG CLOSE PARK	Catherine Close	BENTLEY PARK	69155	975RP851518
DUNDEE CLOSE PARK	Progress Road	WHITE ROCK	66247	19RP857699
DUNNE ROAD PARK	Yorkeys Knob Road	YORKEYS KNOB	86962	126NR5009
DUPLOCK PARK	Mayers Street	AEROGLEN	57318	723NR7368
DUPLOCK PARK	Sexton Street	AEROGLEN	57522	102N157223
EARL STREET PARK	Earl Street	WESTCOURT	48116	6NR7512

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
EARLY SETTLER PARK	Pepperwood Street	REDLYNCH	100625	117SP114485
EAST RUSSELL RESERVE	South Woolanmaroo Reserve	EAST RUSSELL	76532	100NR6527
ECHO CLOSE PARK	Echo Close	MOUNT SHERIDAN	100077	977SP103364
EDEN COURT PARK	Yule Avenue	CLIFTON BEACH	81095	200NR7557
EDEN COURT PARK	Ilse Close	CLIFTON BEACH	81108	1RP861088
EDMONDS CLOSE PARK	Robert Road	BENTLEY PARK	69182	973RP857542
EDMONTON SKATE PARK	Robert Road	BENTLEY PARK	69162	987RP846954
EDMONTON SKATE PARK	Hardy Road	BENTLEY PARK	72761	24RP880984
EDWARD MANN PARK	Guide Street	CLIFTON BEACH	80982	2RP735343
ELLEN CLOSE RESERVE	Flame Close	BAYVIEW HEIGHTS	97705	17RP891008
ELLEN CLOSE RESERVE	Creek Close	BAYVIEW HEIGHTS	63616	328RP733850
ELLEN CLOSE RESERVE	Villa Street	BAYVIEW HEIGHTS	64307	21RP893044
ELLIS BEACH ESPLANADE PARK	Captain Cook Highway	ELLIS BEACH		
ELLIS BEACH SOUTH RESERVE	Colonel Cummings Drive	MACALISTER RANGE	118154	31SP129117
ENDEAVOUR PARK	Pease Street	MANUNDA	109237	123SP261205
ENDEAVOUR PARK	McCormack Street	MANUNDA	103830	26C19842

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
ENDEAVOUR PARK	Patience Street	MANUNDA	103829	21C19842
ENDEAVOUR PARK	Behan Street	MANUNDA	103814	1C198410
ENDEAVOUR PARK	Behan Street	MANUNDA	103832	22C19842
ENDEAVOUR PARK	MacNamara Street	MANUNDA	103193	545NR6086
ENDEAVOUR PARK	Pease Street	MANOORA	66046	16C198289
ENDEAVOUR PARK	Behan Street	MANUNDA	103834	24C19842
ENDEAVOUR PARK	Behan Street	MANUNDA	103833	23C19842
ENDEAVOUR PARK	MacNamara Street	MANUNDA	158159	4SP227602
ENDEAVOUR PARK	Behan Street	MANUNDA	103835	25C19842
ENDEAVOUR PARK	Patience Street	MANUNDA	151972	124SP227603
ENGINEERS PARK	Neeve Close	WHITFIELD	100802	2NR7171
ENMORE PARK	Enmore Street	MANOORA	62092	18RP725462
ERNST PARK	Palmerston Street	AEROGLEN	108618	119SP133389
ERNST PARK	Palmerston Street	AEROGLEN	57493	10RP749119
ESPLANADE FORESHORE PARK CENTRAL (MUDDIES PLAYGROUND)	Esplanade	CAIRNS CITY	54905	11C198325

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
ESPLANADE FORESHORE PARK CENTRAL (PEARCE PK)	Esplanade	CAIRNS NORTH	54402	4C198325
ESPLANADE FORESHORE PARK SOUTH	Esplanade	CAIRNS CITY	54908	775CP903634
ESPLANADE FORESHORE PARK (THE LAGOON)	Pier Point Road	CAIRNS CITY	110359	17SP155099
ESPLANADE FORESHORE PARK NORTH	Esplanade	CAIRNS NORTH	55209	711SP122864
ESPLANADE FORESHORE PARK SOUTH (FOGARTY PK)	Esplanade	CAIRNS CITY	110369	7SP146897
ESPLANADE FORESHORE PK (FOGARTY PK)	Spence Street	CAIRNS CITY	123806	4SP160326
ESPLANADE FORESHORE PK (FOGARTY PK)	Esplanade	CAIRNS CITY	123806	4SP160326
ETTA GREEN PARK	Aumuller Street	BUNGALOW	49974	26C198104
ETTE PARK	Sirius Street	BENTLEY PARK	69907	995RP749334
EUGENIA CRESCENT PARK	Eugenia Crescent	REDLYNCH	92633	116RP748224
EUSTON CLOSE RESERVE	Yule Avenue	CLIFTON BEACH	100185	27SP106007
EVANS ROAD PARK	Evans Road	BRAMSTON BEACH	77478	99NR7348
EVERGREEN PARK	Evergreen Street	CLIFTON BEACH	89513	192NR6794
EVERGREEN PARK	Evergreen Street	CLIFTON BEACH	89511	216NR7040

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
FAITHFULL RESERVE	Vico Street	GORDONVALE	74889	3NR7822
FALCON STREET RESERVE	Anderson Road	BAYVIEW HEIGHTS	65110	453NR6871
FALCON STREET RESERVE	Anderson Road	BAYVIEW HEIGHTS	99000	33RP893528
FIFE CLOSE PARK	Fife Close	MOUNT SHERIDAN	67266	996RP867102
FIG PARK	Benamina Street	MOUNT SHERIDAN	98821	986RP908154
FIG PARK	Benamina Street	MOUNT SHERIDAN	99609	384RP910519
FIG TREE DRIVE RESERVE	Kamerunga Road	CARAVONICA	91862	22CP910008
FIG TREE PARK	Fig Tree Drive	CARAVONICA	110886	999SP160307
FIG TREE PARK	Fig Tree Drive	CARAVONICA	117557	33SP172978
FINDLAY STREET PARK	Bel-Air Drive	BRINSMEAD	155111	3SP236903
FIRE STATION PARK	Gatton Street	MANUNDA	46986	1C198306
FISHER ROAD PARK	Gilbert Court	GORDONVALE	75804	6SP273009
FITZROY ISLAND RESERVE	Unnamed Road	FITZROY ISLAND	72061	185NR6946
FLAGSHIP DRIVE PARK	Coastline Parade	TRINITY BEACH	145877	902SP214833
FLECKER BOTANIC GARDENS	Goodwin Street	EDGE HILL	131683	402SP241303
FLECKER BOTANIC GARDENS	Collins Avenue	EDGE HILL	131682	400SP201236

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
FLINDERS CRESCENT RESERVE	Darkin Close	SMITHFIELD	90690	11NR7692
FOGARTY STREET PARK	Murchison Street	WHITFIELD	99212	118RP716968
FOLEY STREET PARK	Captain Cook Highway	PALM COVE	122323	900SP178695
FOREST GARDENS THE LAKES PARK	Forest Gardens Boulevard	MOUNT SHERIDAN	97716	998RP894876
FOREST GARDENS THE LAKES PARK	Banyan Close	MOUNT SHERIDAN	97717	999RP894876
FORNO PARK	Scenic Street	BAYVIEW HEIGHTS	64748	98RP728481
FOSSICKER CLOSE PARK	Unnamed Road	GOLDSBOROUGH	75886	896RP881050
FRED HESSELS PARK	Jacaranda Street	HOLLOWAYS BEACH	87360	2RP729477
FRETWELL PARK	Tryal Street	BENTLEY PARK	69979	994RP750086
FULLER PARK	Wolff Street	EDMONTON	71620	1RP722073
GAMBURRA DRIVE PARK	Mary Parker Drive	REDLYNCH	111734	901SP155114
GAMBURRA DRIVE PARK	Gamburra Drive	REDLYNCH	99913	900SP101273
GAMBURRA DRIVE PARK	Gamburra Drive	REDLYNCH	123350	997SP167065
GAMBURRA DRIVE PARK	Gamburra Drive	REDLYNCH	121747	800SP187425
GAMBURRA DRIVE PARK	Gamburra Drive	REDLYNCH	121748	801SP187425
GAMBURRA DRIVE PARK	Gamburra Drive	REDLYNCH	127737	802SP196239

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
GANNET STREET PARK	Gannet Street	KEWARRA BEACH	81786	211NR7169
GATTENBY CLOSE PARK	Farmer Street	EDMONTON	68550	995RP857710
GAVIN HAMILTON CLOSE RESERVE	Lum Jim Street	REDLYNCH	111735	903SP155114
GAVIN HAMILTON CLOSE RESERVE	Fairley Street	REDLYNCH	99912	902SP101273
GAVIN HAMILTON CLOSE RESERVE	Fairley Street	REDLYNCH	109067	997SP147764
GAVIN HAMILTON CLOSE RESERVE	Fairley Street	REDLYNCH	132192	905SP207021
GEORGE CANNON DR PARK	Bruce Highway	MOUNT SHERIDAN	124551	2017SP189712
GEORGE CHAPMAN PARK	Reservoir Road	BRINSMEAD	112111	952SP256251
GEORGE CHAPMAN RESERVE	Bel-Air Drive	BRINSMEAD	107813	950SP139180
GEORGE CHAPMAN RESERVE	East Parkridge Drive	BRINSMEAD	131767	951SP210214
GEORGE FAIRWEATHER PARK	Heather Street	SMITHFIELD	90494	18RP729468
GEORGE FRIEND PARK	Fairview Street	BAYVIEW HEIGHTS	64765	94RP726364
GEORGE MOORE PARK	Panguna Street	TRINITY BEACH	90006	60RP892248
GEORGE PEGG PARK	Vickers Street	EDMONTON	146837	993SP212585
GEORGE PULLAR PARK	Debbie Street	TRINITY PARK	84957	900SP263926

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
GEORGE WATKINS PARK	Curlew Court	BAYVIEW HEIGHTS	65097	21RP739058
GIANGURRA ESPLANADE PARK	Pine Creek-Yarrabah Road	EAST TRINITY		
GIBSON CL RESERVE	Upolo Esplanade	PALM COVE	126490	15SP184855
GIBSON CL RESERVE	Gibson Close	CLIFTON BEACH	81299	207NR6931
GLENOMA PARK	Brinsmead Road	BRINSMEAD	95261	7NR4524
GOLDEN HOLE RESERVE	Biggs Road	BARTLE FRERE	78946	3RP850098
GOLDMINE PARK	Humbolt Close	EDMONTON	97400	2002RP886998
GOLDSBOROUGH ROAD 1 PARK	Goldsborough Road	GOLDSBOROUGH	157793	8SP252357
GOLDSBOROUGH ROAD 2 PARK	Goldsborough Road	GOLDSBOROUGH	157794	9SP252357
GOLDSBOROUGH ROAD 3 PARK	Goldsborough Road	GOLDSBOROUGH	157795	10SP252357
GOLDSBOROUGH ROAD 4 PARK	Goldsborough Road	GOLDSBOROUGH	157796	11SP252357
GOODFELLOW COURT PARK	Goodfellow Court	MOOROOLBOOL	59122	996RP838324
GOODSELL DRIVE PARK	Goodsell Drive	BENTLEY PARK	114324	101SP166356
GOODWOOD PARK	Deauville Close	YORKEYS KNOB	85335	80RP726837
GOOMBOORA PARK	Granite Close	BRINSMEAD	95406	99RP729484
GOOMBOORA PARK	Granite Close	BRINSMEAD	95407	2RP729485

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
GOOMBOORA PARK	Redlynch Intake Road	REDLYNCH	92773	4RP837733
GOOMBOORA PARK	Granite Close	BRINSMEAD		
GORDON STREET RESERVE	Sues Street	GORDONVALE	73961	130NR5005
GORDONVALE TURF CLUB	Buzacott Street	GORDONVALE	73743	75NR5992
GORU COURT PARK	Frances Street	MOOROBOOL	59118	999RP838318
GRANADILLA DRIVE PARK	Barnes Street	EARLVILLE	102256	18RP726440
GRAY STREET CONSERVATION RESERVE	Gray Street	FRESHWATER	95175	7NR7818
GREEN AVENUE PARK	Green Avenue	KEWARRA BEACH	126262	2000SP196213
GREENPATCH PARK SOUTH	Bruce Highway	GORDONVALE	75187	1SP218269
GREENPATCH RESERVE	Griffin Street	GORDONVALE	99921	52USL21656
GREENVALE CLOSE PARK	Kennedy Highway	SMITHFIELD	127775	998SP196223
GREENVALE CLOSE PARK	Greenvale Close	SMITHFIELD	127776	999SP196223
HALING PARK	Fairway Street	YORKEYS KNOB	86403	104RP727284
HALING PARK	Golf Street	YORKEYS KNOB	86523	6RP728578
HAMMOND COURT PARK	Hammond Court	MOOROBOOL	59120	997RP838320

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
HARBOUR DRIVE RESERVE	Harbour Drive	TRINITY PARK	117009	904SP165903
HARDY ROAD PARK	Hardy Road	MOUNT SHERIDAN	109322	18SP149853
HARLEQUIN ST PARK	Harlequin Street	WHITE ROCK	107283	825SP119563
HARLEY STREET NORTH PARK	Lower Freshwater Road	KAMERUNGA	91569	7RP808206
HART PARK (SHAFT ST)	Shaft Street	EDMONTON	73040	994RP880970
HARVEY CK SCENIC RESERVE	Bruce Highway	BELLENDEN KER	76540	232NR1418
HARVEY RESERVE	Harvey Road	REDLYNCH	92566	14RP808373
HARVEY RESERVE	Harvey Road	REDLYNCH	124437	900SP188674
HARVEY ROAD PARK	Shaws Road	REDLYNCH	92543	50NR7640
HAYWARD STREET PARK	Hayward Street	MOOROBOOL	61263	17RP723534
HEALY ROAD PARK	Healy Road	MIRRIWINNI	78634	117NR1099
HEALY ROAD PARK	Healy Road	MIRRIWINNI	78636	119NR1099
HEALY ROAD PARK	Healy Road	MIRRIWINNI	78635	118NR1099
HEALY ROAD PARK	Healy Road	MIRRIWINNI	78637	120NR1099
HENDERSON PARK	Dandaloo Street	BAYVIEW HEIGHTS	63930	348RP726698
HENLEY STREET PARK	Henley Street	EARLVILLE	90934	1NR7320
HENLEYS HILL PARK	De Jarlais Street	EARLVILLE	102968	5RP745313

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
HENLEYS HILL PARK	Bates Street	EARLVILLE	102965	1SP198079
HENLEYS HILL PARK	Barnes Street	EARLVILLE	59329	101RP888507
HILLVIEW PARK	McHugh Crescent	WHITFIELD	96499	38RP716590
HOAD STREET PARK	Hoad Street (Road Reserve)	EARLVILLE		
HOBSON DRIVE CONSERVATION PARK	Mayers Street	BRINSMEAD	96251	3CP899012
HOBSON DRIVE CONSERVATION PARK	Primo Street	BRINSMEAD	97253	2RP892255
HOBSON DRIVE PARK	Hobson Drive	BRINSMEAD	96254	509NR7871
HOBSON LATREILLE RESERVE	Mackey Close	BRINSMEAD	96411	513NR7897
HOCKEY AVENUE RESERVE	Kosciusko Street	SMITHFIELD	125552	998SP187413
HODKINSON ST PARK	Tyrconnell Crescent	REDLYNCH	120988	901SP186234
HOLLOWAYS BEACH ESPLANADE RES	Casuarina Street	HOLLOWAYS BEACH		
HOMESTEAD PARK	Sawpit Street	MOUNT SHERIDAN	98181	994RP903198
HOMESTEAD PARK	Sawpit Street	MOUNT SHERIDAN	127658	2013SP198625
HOPE ST RESERVE	Undine Street	CLIFTON BEACH	80812	214CP893544
HOSPITAL PARK	Highleigh Road (Road Reserve)	GORDONVALE		

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
HOWARD BAILEY PARK	Campbell Street	GORDONVALE	73639	77NR7679
HUMBOLT CLOSE PARK	Humbolt Close	EDMONTON	73089	993RP881408
HUSSEY PARK	Karen Close	WOREE	62724	1NR7166
ICEFIRE QUAY RESERVE	Harbour Drive	TRINITY PARK	117010	905SP165903
IDALIA ROAD PARK	Royal Saxon Close	MOUNT SHERIDAN	67693	998RP851640
IMPEY RESERVE	Lake Placid Road	CARAVONICA	92225	199RP743155
INFORMATION PARK	Captain Cook Highway	SMITHFIELD		
INTAKE ROAD RESERVE	Redlynch Intake Road	REDLYNCH	93487	53NR7408
ISABELLA ROAD RESERVE	Rainforest Road	EDMONTON	108032	22SP133790
ISHMAEL RD CONSERVATION PARK	Ishmael Road	EARLVILLE	50392	4RP727732
ISHMAEL RD CONSERVATION PARK	Mulgrave Road	EARLVILLE	50390	2RP707201
ISHMAEL RD CONSERVATION PARK	Ishmael Road	EARLVILLE	50391	2RP727262
ISHMAEL RD CONSERVATION PARK	Ishmael Road	EARLVILLE	50393	2RP735971
ISILWOOD CLOSE PARK	Isilwood Close	EDMONTON	68626	988RP861094
J-H REED PARK	De Vecchi Close	EDMONTON	98516	988RP893037

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
J H REED PARK	Accatino Close	EDMONTON	125586	900SP192152
JACANA CLOSE RESERVE	Osprey Close	BAYVIEW HEIGHTS	118934	202SP178682
JACK BRENNAN PARK	Bradford Street (Road Reserve)	WHITFIELD		
JACKSON CLOSE PARK	Dillon Street	WESTCOURT	48437	11RP725484
JALARRA PARK	Alamein Street	STRATFORD	94148	492CP893030
JAMES COOK DRIVE RESERVE	James Cook Drive	KEWARRA BEACH	89827	76NR7762
JAMIESON CLOSE PARK	Dempsey Street	GORDONVALE	74975	21CP885643
JEAN MOULE PARK	Kevin Street	WHITFIELD		
JENSEN STREET PARK	Jensen Street	MANOORA	76169	2SP277139
JESS MITCHELL PARK	Greenslopes Street	EDGE HILL	101674	566NR6086
JILBAR CLOSE PARK	Akame Avenue	CARAVONICA	97811	997RP882248
JIM GOULD PARK	Dalrymple Street	EDGE HILL		
JOHN EGAN PARK	Cairns Street	CAIRNS NORTH	57067	3RP701078
JOHN WALKER PARK	Graham Street	EDMONTON	70901	22RP704165
JOHN WALKER PARK	Graham Street	EDMONTON	70904	25RP704165
JOHN WALKER PARK	Graham Street	EDMONTON	70900	21RP704165
JOHN WALKER PARK	Isley Street	EDMONTON	70903	24RP704165

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
JOHN WALKER PARK	Graham Street	EDMONTON	70902	23RP704165
JOHNSON PARK	Campbell Street	GORDONVALE	73566	232NR6508
JORGENSEN ST PARK	Jorgensen Street	EDMONTON	68608	989RP861093
JOY CLOSE PARK	Swan Street	GORDONVALE	74371	15G47853
KABAN GROVE PARK	Reed Road	TRINITY PARK	145571	912SP207590
KAHLU PARK	Tiffany Street	WHITE ROCK	66341	300RP747290
KAMARUNGA PARK	Shale Street	BRINSMEAD	95260	765NR6538
KAMERUNGA CONSERVATION PK. (STONEY CREEK RESERVE)	Stoney Creek Road	KAMERUNGA	91351	27RP804193
KAMERUNGA ENVIRONMENTAL PARK	Lake Placid Road	KAMERUNGA	91480	254NR7826
KAMERUNGA ENVIRONMENTAL PARK	Stoney Creek Road	KAMERUNGA	91463	772C157302
KAMERUNGA ENVIRONMENTAL PARK	Stoney Creek Road	KAMERUNGA	91481	734NR7826
KAMERUNGA ROAD RESERVE	Kamerunga Road	STRATFORD	93742	434NR8055
KATOOMBA ST PARK	Hardy Road	MOUNT SHERIDAN	108463	502SP143225
KEITH EDWICK PARK	O'Shea Esplanade	MACHANS BEACH	88549	1RP721342
KEITH EDWICK PARK	Marshall Street	MACHANS BEACH	88401	9RP710133

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
KEITH EDWICK PARK	Marshall Street	MACHANS BEACH	88402	10RP710133
KEITH EDWICK PARK	Marshall Street	MACHANS BEACH	88400	8RP710133
KENNEDY PARK	Mt Milman Drive	SMITHFIELD	99824	100RP908380
KENRICK STREET PARK	Knowlton Crescent	GORDONVALE	125880	2002SP193123
KENRICK STREET PARK	Knowlton Crescent	GORDONVALE	132108	901SP204562
KEPPLE PLACE PARK	Timberlea Drive	BENTLEY PARK	121586	998SP184863
KEWICK CLOSE PARK	Sugarmill Street	MOUNT SHERIDAN	113591	2003SP167076
KIMBERLEY STREET RESERVE	Angor Road	TRINITY PARK	127450	906SP197997
KINGFISHER CLOSE PARK	Kingfisher Close	EARLVILLE	123292	999SP235352
KINGFISHER PARK	Briese Close	EDMONTON	97103	900RP861098
KINGSLEY CL PARK	Mission Road	WHITE ROCK	121754	2SP172555
KITE CLOSE RESERVE	Curlew Court	BAYVIEW HEIGHTS	65152	10RP857724
KONOWNA CLOSE PARK	Konowna Close	MOOROOBOOL	59332	900RP886980
KOOKABURRA PARK	Portsea Crescent	KEWARRA BEACH	81898	226RP747598
KOOKABURRA PARK	Narabeen Street	KEWARRA BEACH	111963	100SP165261
KOOKABURRA PARK	Tribulation Close	KEWARRA BEACH	98281	995RP887085
KOOKABURRA PARK	Bingil Close	KEWARRA BEACH	113867	999SP165913

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
KOOKABURRA PARK	Torbay Street	KEWARRA BEACH	129269	2SP189938
KOOKABURRA PARK	Heron Close	KEWARRA BEACH	129270	3SP189938
KOOKABURRA PARK WEST	Portsea Crescent	KEWARRA BEACH	82270	1RP747619
KOOMBAL PARK	Koombal Esplanade	EAST TRINITY	110825	204SP154564
KOPPEN PARK	Jarrad Close	MOOROOBOOL	58128	502RP850112
KOPPEN PARK CONSERVATION RESERVE	Dunbar Street	MOOROOBOOL	60674	643NR6925
KRAIT RESERVE	Reed Road	TRINITY PARK	84807	39RP728015
KURANDA STATE FOREST	Macarthur Close	MACALISTER RANGE	89313	32NR5949
KURANDA STATE FOREST	Thrush Terrace	CLIFTON BEACH	108849	997SP146125
KURANDA STATE FOREST	Bokissa Road	CLIFTON BEACH	89526	1NR7743
LADY PENRHYN CLOSE PARK	Lady Penrhyn Close	BENTLEY PARK	69665	999RP748231
LAKE MORRIS ROAD PARK	Cicero Close	MOOROOBOOL	61303	1RP737206
LAKE MORRIS ROAD PARK	Lake Morris Road	MOOROOBOOL	89826	995RP749321
LAKE MORRIS ROAD PARK	Mansfield Street	EARLVILLE	89826	1RP742903

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
LAKE PLACID RECREATION PARK	Lake Placid Road	CARAVONICA	97687	101CP894874
LAKE PLACID PARK	Lake Placid Road	CARAVONICA	92003	244NR5274
LE GRANDE PARK	Valley Street	FRESHWATER	94948	53NR812244
LEEWIN CRESCENT PARK	Linmen Close	BENTLEY PARK	105485	989RP838326
LEEWIN CRESCENT PARK	Golden Grove Drive	BENTLEY PARK	69485	997RP749320
LEIGHTON CRESCENT PARK	Newman Street	GORDONVALE	131868	100SP207028
LENNON STREET PARK	Melaleuca Street	MANUNDA	104590	1RP889325
LEONARD STREET PARK	Moore Road	KEWARRA BEACH	89809	60RP862227
LILIUM COURT PARK	Burrnong Street	KEWARRA BEACH	114932	214SP168413
LILY ST PARK	Lily Street	CAIRNS NORTH		
LILY STREET ENVIRONMENTAL RESERVE	Arthur Street	CAIRNS NORTH	56868	3RP701192
LILY STREET ENVIRONMENTAL RESERVE	Lily Street	CAIRNS NORTH	110962	4RP701192
LILY STREET ENVIRONMENTAL RESERVE	Law Street	CAIRNS NORTH	109240	71SP136285
LINDEN STREET RESERVE	Jupiter Close	CLIFTON BEACH	114663	44SP173539

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
LION STREET RESERVE	Lion Street	DEERAL	76471	123NR6784
LIONS PARK	Mulgrave Road	EARLVILLE	49583	1RP731489
LISSNER CRESCENT PARK	De Jarlais Street	EARLVILLE	102397	31NR7740
LITTLE BARLOW PARK	Joan Street	BUNGALOW	49784	20RP706600
LITTLE BARLOW PARK	Severin Street	PARRAMATTA PARK	51846	750CP912877
LITTLE BARLOW PARK	Quigley Street	PARRAMATTA PARK	51846	750CP912877
LITTLE LAKE MORRIS ROAD PARK	Summer Hill Drive	MOOROOBOOL	59062	227RP857537
LITTLE LYDIA PARK	Lydia Street	SMITHFIELD	90187	991RP866975
LITTLE STREET PARK	Arthur Street	MANUNDA	58499	11NR843558
LOEVEN PARK	Barcoo Close	BENTLEY PARK	72792	971RP865144
LOOKOUT TERRACE PARK	Catamaran Circuit	TRINITY BEACH	100621	998SP114724
LORIDAN DRIVE PARK	Loridan Drive	BRINSMEAD	95544	897SP105725
LOWREY CLOSE PARK	Cleland Street	GORDONVALE	74437	29G47852
LUISA STREET PARK	Farmer Street	EDMONTON	97377	2003RP886997
LYDIA STREET PARK	Lydia Street	SMITHFIELD	90168	202SP263782
LYNDEL DRIVE PARK	Anderson Road	WOREE	63189	367NR7294

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
MACALISTER PLACE PARK	Macalister Place	SMITHFIELD	90406	998RP851504
MACARTHUR CLOSE RESERVE	MacArthur Close	PALM COVE	108193	999SP139628
MACDONNELL STREET BOTANICAL PARK	Goodwin Street	EDGE HILL	103267	718SP232610
MACDONNELL STREET BOTANICAL PARK	Goodwin Street	EDGE HILL	103232	2RP728602
MACDONNELL STREET BOTANICAL PARK	Goodwin Street	EDGE HILL	103212	999SP232610
MACDONNELL STREET BOTANICAL PARK	Collins Avenue	EDGE HILL	103266	349SP241302
MACKERRAS STREET PARK	Lum Jim Street	REDLYNCH	157173	903SP240375
MACKERRAS STREET PARK	Xavier Herbert Drive	REDLYNCH	157192	902SP240375
MADIGANS DRIVE PARK	Madigans Drive	MOUNT SHERIDAN	111751	2001SP164251
MAGAZINE RESERVE	Industrial Avenue	STRATFORD	93751	267NR6139
MAITLAND ROAD PARK	Maitland Road	GORDONVALE	75469	8NR7681
MANGOSTEEN CL PARK	Knight Road	SMITHFIELD	90664	22RP843543
MANILLA CLOSE PARK	Manilla Close	MOUNT SHERIDAN	129097	2014SP201288
MANN STREET 51ST PARK		WESTCOURT	48040	25RP724143
MANUNDA VELODROME	Moody Street	MANUNDA	46665	45RP712254

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
MANUS STREET PARK	Manus Street	TRINITY BEACH	84458	63NR7250
MAPLE CRESCENT PARK	Walsh Street	EDGE HILL	60046	13RP896126
MARINA QUAY PARK	Marina Quay	TRINITY PARK	117006	901SP165903
MARJ DANSON PARK	Buzacott Street	GORDONVALE	74392	42G47848
MARLINCOAST SPORTS RESERVE	Lomond Street	SMITHFIELD	85304	197RP748699
MARLINCOAST SPORTS RESERVE	O'Brien Road	SMITHFIELD	85299	2RP867128
MARSDEN STREET PARK	Marsden Street	MOUNT SHERIDAN	66962	20RP880973
MARTIN STREET PARK	Maree Street	FRESHWATER	96787	999RP881055
MARTYN STREET SPORTS PARK	Martyn Street	MANUNDA	105013	369NR3097
MASON PARK	Dennison Court	SMITHFIELD	90245	245NR6297
MASSEY STREET RESERVE	Massey Street	EDMONTON	70585	2NR7912
MATHESON DRIVE PARK	Matheson Drive	BRINSMEAD	96096	508NR7690
MAYTOWN CLOSE PARK	26 Jensen Street	MANOORA	76703	614NR6725
McHUGH CRESCENT PARK	McHuch Crescent (Road Reserve)	WHITFIELD		
McLEAN STREET PARK	McLean Street	CAIRNS NORTH	56866	755NR6206
McMAHON DRIVE PARK	McMahon Drive	FISHERY FALLS	76139	23RP803154

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
McPHERSON — CLOSE PARK	Collins Avenue	EDGE HILL	103293	8RP737210
MCROBBS CLOSE PARK	Jorgensen Street	EDMONTON	71365	996RP854419
MENDELSON — CLOSE PARK	Sinclair Street	GORDONVALE	74805	999RP847020
MERCURIO ST PARK	Dillon Close	WHITE ROCK	66709	903RP903203
MERCY CLOSE PARK	Hickey Close	GORDONVALE	75890	179RP881699
MESTREZ — ST — FLOOD PLAIN PARK	Mulgrave Road	EARLVILLE	49340	10RP717516
MILKY PINE PARK	Bellbird Street	BAYVIEW HEIGHTS	65092	4NR7164
MILL STREET PARK	Munro Street	BABINDA	76961	7NR7365
MINNIECON PARK/MUNDII GUNJI PARK	Sheehy Road	WHITE ROCK	65742	674NR7090
MONSOON — TERRACE PARK	Monsoon Terrace	MOUNT SHERIDAN	115605	2009SP175702
MOODY CK PARK	Marchant Street	MANOORA	118442	219SP167731
MORABITO PARK	Varley Street	YORKEYS KNOB	86599	248NR6393
MOSCH PLACE PARK	Mosch Place	MOOROOBOOL	61140	69RP723986
MOUNT — WHITEFIELD CONSERVATION PARK	Collins Avenue	WHITFIELD	97805	514NPW581
MOUNT — WILLIAM RESERVE	Redlynch Intake Road	REDLYNCH	93659	7RP749301

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
MOUNT WILLIAM RESERVE	Redlynch Intake Road	REDLYNCH	93660	6RP749301
MRS MORROS PARK	Greenslopes Street	EDGE HILL	103168	3C198408
MULGRAVE RIVER ENVIRONMENTAL RESERVE	Unnamed Road	GORDONVALE	75538	115NR6562
MULGRAVE RIVER ENVIRONMENTAL RESERVE	Unnamed Road	GORDONVALE	75539	116NR804208
MUNRO MARTIN PARK	Grafton Street	CAIRNS CITY	53479	1C198264
MURRAY STREET PARK	Macllwraith Street	MANOORA	69117	759NR6356
MUTTABURRASAUROS PARK	Cowley Street	KAMERUNGA	91578	2RP737488
NAPIER STREET PARK	Napier Close	TRINITY PARK	84699	51RP728484
NINDII CLOSE PARK	Nindii Close	EDMONTON	116796	999SP167720
NIVEN PARK	Greer Road	MIRRIWINNI	77389	127NR3938
NIVEN PARK	Greer Road	MIRRIWINNI	115137	191SP172411
NOELA CLOSE PARK	Windarra Street	WOREE	62381	732NR7518
NOELA CLOSE PARK	Noela Close	WOREE	63275	669NR7518
NOLAN STREET CONSERVATION PARK	Knott Court	WHITFIELD	95856	42RP724966
NORFOLK CIRCUIT PARK	Norfolk Circuit	REDLYNCH	126226	901SP196208

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
NORMAN PARK	Gordon Street	GORDONVALE	73967	8G47831
NORTH CAIRNS RESERVE	Lake Street	CAIRNS NORTH	131369	1SP201258
NORWOOD CR PARK	Norwood Crescent	TRINITY PARK	127057	901SP197996
NORWOOD CR PARK MINOR	Angor Road	TRINITY PARK	155744	800SP222736
NORWOOD CRESCENT PARK	Reed Road	TRINITY PARK	127056	900SP197996
NOVA STREET PARK	Nova Street	KEWARRA BEACH	89207	34RP886869
NOVA STREET PARK	Nova Street	KEWARRA BEACH	81582	35RP867058
O'SHEA ESPLANADE RESERVE	O'Shea Esplanade	MACHANS BEACH	88384	3RP721342
O'SHEA ESPLANADE RESERVE	O'Shea Esplanade	MACHANS BEACH	88385	4RP721342
OAKVILLE PARADE PARK	Flagstone Terrace	TRINITY PARK	153646	9010SP232840
ONYX STREET PARK	Onyx Street	CLIFTON BEACH	158311	990SP270357
ONYX STREET PARK	Onyx Street	CLIFTON BEACH	158312	991SP270357
ORIANA ST PARK	Bel-Air Drive	BRINSMEAD	112408	901SP160323
ORIBIN PARK	McManus Street	WHITFIELD	99751	35RP723555
O'SHEA ESPLANADE PARK	O'Shea Esplanade	MACHANS BEACH		

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
OSPREY CLOSE RESERVE	Falcon Street	BAYVIEW HEIGHTS	110351	203SP154578
OSPREY CLOSE RESERVE	Osprey Close	BAYVIEW HEIGHTS	65417	23RP865060
OSPREY CLOSE RESERVE	Falcon Street	BAYVIEW HEIGHTS	110785	999SP160303
OTTO CLOSE PARK	Farmer Street	EDMONTON	108587	998SP147752
PACIFIC PARK	Evans Road	BRAMSTON BEACH	112998	300SP165890
PANDANUS PARK	Baronia Crescent	HOLLOWAYS BEACH	87566	1NR7836
PANORAMIC PLACE PARK	Panoramic Place	BRINSMEAD	157810	951SP264297
PANORAMIC VIEWS RESERVE	Daphne Drive	REDLYNCH	108741	115SP139626
PANORAMIC VIEWS RESERVE	Kamerunga Road	REDLYNCH	98749	999RP881001
PAPERBARK PARK	Evans Road	BRAMSTON BEACH	77432	1B87710
PARADISE GARDENS PARK	Cardamine Street	KEWARRA BEACH	98993	204RP825780
PARRY STREET PARK	Christian Street	BABINDA	78415	1RP912878
PARRY STREET PARK	Parry Street	BABINDA	78416	3RP912878
PARTON CLOSE PARK	Burton Close	WHITE ROCK	65699	67NR7476
PATERSON PARK	Greenbank Road	AEROGLEN	115984	308SP171849
PAUL PHILLIPS PARK	Mabel Street	MOUNT SHERIDAN	67011	798RP817966

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
PEASE _____ STREET PENSIONER PARK	Pease Street	MANOORA	66628	1C198234
PELICAN _____ PARK ESPLANADE RESERVE	Kewarra Street	KEWARRA BEACH	81499	174RP728024
PELICAN _____ PARK ESPLANADE RESERVE	Poolwood Road	KEWARRA BEACH	81500	173RP728025
PERA CLOSE PARK	Wesel Street	BENTLEY PARK	69950	990RP808337
PERCY STREET PARK	Mayflower Street	MOUNT SHERIDAN	73217	162RP890834
PERCY STREET PARK	Percy Street	MOUNT SHERIDAN	113662	999SP165902
PETERSEN PARK	Luisa Street	EDMONTON	97424	2001RP887001
PEZZUTTI PARK	Shannon Drive	WOREE	62387	1RP737188
PEZZUTTI PARK	Girralong Street	WOREE	63410	1RP737026
PEZZUTTI PARK	Windarra Street	WOREE	62393	636NR6622
PICCONE DR EAST PARK	Piccone Drive	EDMONTON	112459	504SP166319
PICCONE DR WEST PARK	Piccone Drive	EDMONTON	99920	503SP100516
PINE CREEK RESERVE	Pine _____ Creek- Yarrabah Road	GREEN HILL	72320	134NR3813
PITTSBURG _____ STREET PARK	Giffin Road	WHITE ROCK	66749	6RP850037
PLANTAIN PARK	Captain _____ Cook Highway	KEWARRA BEACH	98991	203RP825778

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
POINSETIA RESERVE	Poinsettia Street	HOLLOWAYS BEACH	87040	121NR840892
POINSETIA RESERVE	Poinsettia Street	HOLLOWAYS BEACH	87041	122NR840892
POLO-CROSSE PARK	Redbank Road	PACKERS CAMP	72382	186NR6955
POLO-CROSSE PARK	Redbank Road	PACKERS CAMP	72381	54NR6955
POSSUM STREET PARK	Vasey Esplanade	TRINITY BEACH	82466	2RP716966
PRESTIPINO CLOSE PARK	Prestipino Close	GOLDSBOROUGH	154027	900SP211753
PROPELLER COURT PARK	Propeller Court	TRINITY BEACH	126045	903SP196222
PUMERI PARK	Clarke Street	MANUNDA	105152	13C198228
PURBECK PLACE PARK	Purbeck Place	EDGE HILL	101762	182RP725348
QUARTZBOROUGH PARK	Quartzborough Promenade	TRINITY PARK	147658	911SP207591
QUARTZBOROUGH PARK	O'Brien Road	TRINITY PARK	147657	910SP207591
RAGAMUFFIN QUAY PARK	Ragamuffin Quay	TRINITY PARK	117012	907SP165903
RAGAMUFFIN QUAY PARK	Ragamuffin Quay	TRINITY PARK	117013	908SP165903
RAINFOREST RISE PARK	Dan Jones Street	BENTLEY PARK	109236	999SP147753
RAINFOREST ROAD PARK	Plantation Road	EDMONTON	71252	998RP748575
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87772	32RP710286

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87774	34RP710286
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87773	33RP710286
RAINTREE PARK	Oleander Street	HOLLOWAYS BEACH	87777	37RP710286
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87775	35RP710286
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87771	31RP710286
RAINTREE PARK	Oleander Street	HOLLOWAYS BEACH	87776	36RP710286
RAINTREE PARK	Alamanda Street	HOLLOWAYS BEACH	87770	30RP710286
RAINTREE PARK	Cassia Street	HOLLOWAYS BEACH	87769	29RP710286
RAINTREE PARK	Cassia Street	HOLLOWAYS BEACH	87779	39RP710286
RAINTREE PARK	Cassia Street	HOLLOWAYS BEACH	87768	28RP710286
RAINTREE PARK	Cassia Street	HOLLOWAYS BEACH	87778	38RP710286
RAINY MOUNTAIN PARK	Captain Cook Highway	SMITHFIELD	90749	195SP109016
RAINY MOUNTAIN PL PARK	Lydia Street	SMITHFIELD	90196	992RP866974
RAMSEY PARK	Reservoir Road	KANIMBLA	86812	2NR7586

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
RAVIZZA PARK	Bruce Highway	EDMONTON	70384	1RP741338
RAY HOWARTH RESERVE	Buckley Street	YORKEYS-KNOB	86278	117CP865041
RAY STREET RESERVE	Dowsett Close	YORKEYS-KNOB	85485	1RP748898
REDBANK ROAD NORTH PARK	Redbank Road	PACKERS CAMP	72373	203NR5023
REDLYNCH EQUESTRIAN PARK	Redlynch Intake Road	REDLYNCH	96979	989RP887092
REDLYNCH SKATE PARK	Kamerunga Road	REDLYNCH	111754	900SP142691
REDLYNCH VILLAGE GREEN	Redlynch Intake Road	REDLYNCH	92504	301NR7896
REDPEAK BOULEVARD PARK	Bulba Street	CARAVONICA	233540	902SP177996
REED ROAD PARK	Harbour Drive	TRINITY PARK	84603	219NR7079
REED ROAD PARK	Reed Road	TRINITY PARK	117005	900SP165903
REED ROAD PARK	Reed Road	TRINITY BEACH	122494	205SP178664
REGENT AVENUE PARK	Regent Ave	REDLYNCH	121086	994SP180029
RESOLUTION DRIVE PARK	Resolution Drive	BENTLEY PARK	70200	999RP843510
REYS PARK	Goldberg Close	WHITE ROCK	126402	2001SP193090
RIDOLFI CLOSE PARK	Kenrick Street	GORDONVALE	122771	2001SP180013
RIGG ST PARK	Rigg Street	WOREE	62446	1RP737214

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
RIVERVIEW PARK	The Rocks Road	REDLYNCH	96886	988RP887093
ROBB RESERVE	Robb Road	REDLYNCH	92814	49NR7898
ROBERT KERR PARK	City View Crescent	MOOROOBOOL	156003	900SP243335
ROBERT ROAD NORTH PARK	Robert Road	BENTLEY PARK	68813	500RP849653
ROBERT ROAD PARK	Robert Road	BENTLEY PARK	68858	977RP850113
ROBERT ROAD PARK	Robert Road	BENTLEY PARK	68864	974RP851519
ROBERT ROSSI PARK (ALOOMBA SPORTS RES)	Fixter Road	ALOOMBA	76102	1RP725184
ROBERTS DRIVE PARK	Roberts Drive	TRINITY BEACH	150715	901SP218271
ROCKET PARK	McGuigan Street	EARLVILLE		
RODERICK STREET PARK	Culgoa Close	BENTLEY PARK	129864	33SP204568
ROSS ALLEN PARK	Fry Close	WHITFIELD	101273	160RP725350
ROSS AND LOCKE RESERVE	Goldsborough Road	GOLDSBOROUGH	75747	1RP718836
ROSS RD ENVIRONMENTAL RESERVE	Esplanade	DEERAL	76208	129NR6093
ROSS RD ENVIRONMENTAL RESERVE	Esplanade	DEERAL	115225	901SP167073
ROTARY PARK	Howard Kennedy Drive	BABINDA	76634	12RP710062

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
ROTARY PARK	Howard Kennedy Drive	BABINDA	76635	13RP710062
ROTARY PARK	Howard Kennedy Drive	BABINDA	76632	11RP710062
ROTARY PARK	Howard Kennedy Drive	BABINDA	76631	10RP710062
ROTARY PARK	Howard Kennedy Drive	BABINDA	76630	9RP710062
ROTARY PARK	Howard Kennedy Drive	BABINDA	76629	8RP710062
ROTARY PARK	Howard Kennedy Drive	BABINDA	76628	7RP710062
ROTARY PARK	Peever Road	BABINDA	76622	236NR6626
ROTARY PARK	Howard Kennedy Drive	BABINDA	76627	19RP846529
ROTARY PARK	Howard Kennedy Drive	BABINDA	76633	14RP710062
RUSSEL RIVER SES	Russell River Road	BELLENDEN KER	115224	900SP167074
RUSSELL HEADS RESERVE	Unnamed Street	EAST RUSSELL	76512	1WS8686
RUSSELL PARK	Richardson Street	EDGE HILL	101840	64RP719514
RUSSELL RIVER CAMPING	Roper Road	EUBENANGEE	79314	311NR5538
RUSSELL RIVER RESERVE	Lauridsen Access	BELLENDEN KER	98755	5NR811971

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
RUSSELL STREET PARK	Russell Street	EDGE HILL	101830	32RP726727
RYAN PARK	Ryan Close	BRINSMEAD	96330	506NR7253
RYAN WEARE PARK	Kamerunga Road	FRESHWATER	92439	448NR4306
SADDLE MOUNTAIN PARK	Toolong Close	SMITHFIELD	90303	990RP867087
SADDLE MOUNTAIN PARK	Toolong Close	SMITHFIELD	97355	988RP867089
SADDLE MOUNTAIN PARK	Carbine Close	SMITHFIELD	90308	989RP867088
SADDLE MOUNTAIN PARK	Toolong Close	SMITHFIELD	98439	986RP867090
SADDLE MOUNTAIN PARK	Toolong Close	SMITHFIELD	90232	994RP865124
SADDLE MOUNTAIN PARK	Saddle Mountain Road	SMITHFIELD	90233	993RP865124
SALLI & JOHN MITCHELL PARK	Jungara Road	REDLYNCH	111126	903SP158832
SALLI & JOHN MITCHELL PARK	Jungara Road	REDLYNCH		
SALLI & JOHN MITCHELL PARK	Jungara Road	REDLYNCH	97813	5RP893105
SAMUEL CHRISTENSEN PARK	View Street	BRINSMEAD	95405	97RP729483
SAN REMO PARK	Oak Street	HOLLOWAYS BEACH	88373	32RP737510
SAVANNAH STREET RESERVE	Captain Cook Highway	PALM COVE	117884	990SP173562

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
SAVANNAH STREET RESERVE	Savannah Street	PALM COVE	108192	998SP139628
SAVINA PARK	Primo Street	FRESHWATER	94218	737NR6438
SAWPIT GULLY RESERVE	Butterfly Close	MOUNT SHERIDAN	98677	990RP905276
SAXON PARK NORTH	Eddy Street	CLIFTON BEACH	81140	210NR6922
SAXON PARK SOUTH	Eddy Street	CLIFTON BEACH	81188	59RP748462
SCHOOL PARK	Machans Beach Road	MACHANS BEACH	88853	3RP733952
SCHOONER ROAD PARK	Harbour Drive	TRINITY PARK	117011	906SP165903
SECOND BEACH PARK	Pine Creek-Yarrabah Road	EAST TRINITY	72000	41NR1015
SHAMROCK AVENUE PARK	Dungarvan Drive	BRINSMEAD	100541	901SP109006
SHAMROCK AVENUE PARK	Dungarvan Drive	BRINSMEAD	128528	902SP192169
SHAMROCK PARK	Benn Street	BRINSMEAD	116489	908SP173533
SHANG STREET PARK	Long Street	MOOROOBOOL	59349	126RP804030
SHANG STREET PARK	Shang Street	MOOROOBOOL	59349	84RP802261
SHANG STREET PARK	Shang Street	MOOROOBOOL	59742	85RP802261
SHANG STREET PARK	Shang Street	MOOROOBOOL	59387	86RP802262
SHANG STREET PARK	Shang Street	MOOROOBOOL	59386	79RP802262

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
SHANG STREET PARK	Shang Street	MOOROOBOL	59385	78RP802262
SHANG STREET PARK	Shang Street	MOOROOBOL	59384	77RP802262
SHANG STREET PARK	Gribble Street	MOOROOBOL	59804	76RP802263
SHANG STREET PARK	Gribble Street	MOOROOBOL	59803	75RP802263
SHANG STREET PARK	Gribble Street	MOOROOBOL	59805	80RP802263
SHANG STREET PARK	Long Street	MOOROOBOL	59400	81RP802264
SHANG STREET PARK	Shang Street	MOOROOBOL	59401	82RP802264
SHANG STREET PARK	Shang Street	MOOROOBOL	59402	83RP802264
SHARON STREET PARK	Captain — Cook Highway	SMITHFIELD	91137	146RP729933
SHARON STREET PARK	Captain — Cook Highway	SMITHFIELD	91136	145RP729933
SHAWS ROAD RESERVE	Harvey Road	REDLYNCH	92770	18RP727294
SHEEHY RD PARK	Sheehy Road	WHITE ROCK	125026	999SP196216
SHEEHY RD PARK	Sheehy Road	WHITE ROCK	129467	995SP201285
SHEEHY RD PARK	Sheehy Road	WHITE ROCK	129467	995SP201285
SHEEHY ROAD PARK	Disney Street	WHITE ROCK	153446	995SP214845
SHEEHY ROAD PARK	Disney Street	WHITE ROCK	153446	994SP214845
SIDLAW STREET PARK	Cairnwell Street	SMITHFIELD	85127	203RP749575

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
SIDNEY PARK	Harper Close	MANUNDA	46944	29RP724957
SILKY OAK COURT PARK	Silky Oak Court	MOOROOBOOL	58999	51RP818012
SILVER CRESENT PARK	Silver Crescent	PALM COVE	151871	903SP222292
SMITHY HOLMES PARK	Moller Road	ALOOMBA	76108	5RP808523
SPECULATION STREET PARK	Speculation Street	SMITHFIELD	97287	984RP867094
SPINOS STREET PARK	Zebrina Street	REDLYNCH	98109	999RP899529
SPINOS STREET PARK	Spinos Street	REDLYNCH	109947	999SP153990
SPRINGBROOK AVENUE PARK	Springbrook Avenue	REDLYNCH	129833	2020SP198622
ST CRISPIN STREET PARK	Arlington Esplanade	CLIFTON BEACH	80915	194NR6875
STAGER PARK	Bruce Highway	BABINDA	76943	1SP267802
STANTON ROAD RESERVE	Stanton Road	SMITHFIELD	90580	83NR7695
STANTON ROAD RESERVE	Flinders Court	SMITHFIELD	90533	215NR7018
STONEY CREEK ENVIRONMENTAL RES	Stoney Creek Road	KAMERUNGA	113234	407NR3457
STONEY CREEK ROAD PARK	Stoney Creek Road	KAMERUNGA	91441	25RP804192
STRATFORD LIBRARY PARK	Kamerunga Road			

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
STRATFORD PARADE	Stratford Parade	STRATFORD	93765	573NR6221
STROMBUS AVENUE RESERVE	Natica Close	TRINITY BEACH	83354	26RP851546
SUGARMILL ST PARK	Colbeck Close	MOUNT SHERIDAN	131060	2012SP224682
SUGARWORLD PARK	Walker Road	EDMONTON	106876	503RP886994
SUGARWORLD PARK	Hambledon Drive	EDMONTON	106877	504RP886995
SUGARWORLD PARK	Walker Road	EDMONTON	97430	505RP886995
SUMMIT STREET RESERVE	Aeroglen Drive	AEROGLEN	57397	20SP274034
SUNBIRD DRIVE PARK	Sunbird Drive	WOREE	132677	995SP212562
SUNBIRD PARK	Periwinkle Avenue	KEWARRA BEACH	81581	26RP740559
SUNBIRD PARK	Periwinkle Avenue	KEWARRA BEACH	81579	218NR7067
SUNBIRD PARK PARK	Periwinkle Avenue	TRINITY BEACH	83452	19RP738453
SUNRISE PARK	Bi-Centennial Road	BENTLEY PARK	70153	99RP838317
SURVEY STREET PARK	Survey Street	SMITHFIELD	90805	1RP737263
SURVEY STREET PARK	Survey Street	SMITHFIELD	90751	275RP737263
SWENSEN STREET PARK	Miley Close	GORDONVALE	127554	2003SP196236

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
SYD MEMORIAL PARK GRANVILLE	Oleander Street	HOLLOWAYS BEACH	88193	191NR6528
SYD MEMORIAL PARK GRANVILLE	Oleander Street	HOLLOWAYS BEACH	87538	1RP733480
SYD WHEELAN PARK	Arkendeith Drive	EDMONTON	100653	72SP108476
TALLISMAN CLOSE PARK	Talisman Close	EDMONTON	68713	994RP851628
TAMARIND RESERVE	Tamarind Street	HOLLOWAYS BEACH	87864	6RP729256
TEATREE PARK	Severin Street	MANUNDA	104815	22C198415
TEATREE PARK	O'Shea Esplanade	MACHANS BEACH	88518	165NR5730
TEATREE PARK	O'Shea Esplanade	MACHANS BEACH	88517	163NR5730
TEMORA CLOSE PARK	Junction Street	EDGE HILL	102737	739NR6450
TEMORA CLOSE PARK	Mayers Street	EDGE HILL	102721	3RP740815
TEMORA CLOSE PARK	Mayers Street	EDGE HILL	60126	9RP908505
TENNIS CLUB PARK	Kamerunga Road	FRESHWATER	94310	2SP222330
THE BOULDERS	Stager Road	MIRRIWINNI	78447	214NR6342
THE BOULDERS	Boulders Road	BABINDA	78445	187NR800965
THE BOULDERS	Unnamed Road	BABINDA	78446	213NR6342

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
THE BOULDERS CAMPING GROUND	Boulders Road	BABINDA	78449	1RP746361
THE ROCKS RESERVE	The Rocks Road	REDLYNCH	127461	2SP196220
THE ROCKS RESERVE	The Rocks Road	REDLYNCH	127460	1SP196220
THEO MARTINUZZI PARK	Aroona Street	CARAVONICA	91965	46NR7905
THEO MARTINUZZI PARK	Aroona Street	CARAVONICA	91966	47NR7905
THEO MARTINUZZI PARK	Aroona Street	CARAVONICA	91967	65RP726718
THOMAS THOMPSON PARK	Regent Ave	REDLYNCH	117401	995SP173001
THORNTON COURT PARK	Travolta Close	WHITE ROCK	65961	69RP868162
TIFFANY STREET PARK	Dillon Close	WHITE ROCK	66468	77RP748457
TIMBERLEA DR EAST PARK	Timberlea Drive	BENTLEY PARK	97563	997RP882231
TIMBERLEA DR WEST PARK	Templar Crescent	BENTLEY PARK	97564	998RP882231
TIMBERLEA HEIGHTS PARK	Alfina Street	BENTLEY PARK	156162	1SP246911
TOBIAS RESERVE	Tobias Close	CLIFTON BEACH	89503	225NR7107
TOBRUK MEMORIAL GARDENS	Sheridan Street	CAIRNS NORTH	56000	317SP244364
TOM DOOLEY PARK	Captain Cook Highway	SMITHFIELD	110416	4SP153984

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
TOM MCDONALD PARK	Trivia Street	PALM COVE	79957	229NR6446
TOM MURRAY PARK	Tarcoola Street	MOUNT SHERIDAN	67453	936RP864085
TOM MURRAY PARK	Hardy Road	MOUNT SHERIDAN	67451	201RP748716
TOOGOOD RD PARK	Toogood Road	WOREE	62060	1RP730763
TOOLONG CLOSE PARK	Toolong Close	SMITHFIELD	98442	987RP867090
TOROKINA STREET PARK	Moresby Street	TRINITY BEACH	83906	88RP748088
TOUCH PARK	Aeroglen Drive	AEROGLEN	57286	496C198327
TOUCH PARK	Aeroglen Drive	AEROGLEN	57282	575NR6291
TOUCH PARK	Quarry Street	AEROGLEN	57292	2C198327
TOUCH PARK	Aeroglen Drive	AEROGLEN	57292	82C198327
TOUCH PARK	Quarry Street	AEROGLEN	57294	1C198203
TRADEWINDS — CLOSE PARK	Tradewinds Close	REDLYNCH	107530	999SP133784
TRADEWINDS — CLOSE PARK	Tradewinds Close	REDLYNCH	107529	998SP133784
TRAFALGAR ROAD PARK	Trafalgar Road	MOUNT SHERIDAN	67298	999RP817962
TRITON STREET RESERVE	Triton Street	PALM COVE	128426	911SP181517
TRITON STREET RESERVE	Triton Street	PALM COVE	151713	905SP224670
TRITON STREET RESERVE	Triton Street	PALM COVE	128425	910SP181517

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
TUDOR PARK	Debbie Street	TRINITY PARK	84918	24RP728020
TUPPY PLACE PARK	Bruce Highway	EDMONTON	129954	999SP189704
TURNER PARK	70 Wirrah Close	BAYVIEW HEIGHTS	64117	89RP725546
TURTLE PARK	Turtle Close	CLIFTON BEACH	81230	60RP748462
UPOLO RESERVE	Triton Street	PALM COVE	110162	22SP147763
UPOLO RESERVE WEST	Triton Street	PALM COVE	151712	904SP224670
VALLANCE PARK	Trinity Beach Road	TRINITY BEACH	82986	6RP709732
VALLANCE PARK	Trinity Beach Road	TRINITY BEACH	82987	7RP709732
VALLANCE PARK	Trinity Beach Road	TRINITY BEACH	82988	8RP709732
VELMA CLOSE PARK	Anderson Road	WOREE	63358	668NR7022
VERBENA DRIVE PARK	Hazelwood Close	MOUNT SHERIDAN	105800	804SP100511
VERBENA DRIVE PARK	Verbena Drive	MOUNT SHERIDAN	72636	803RP869441
VESSEY PARK	Woodward Street	EDGE HILL	102324	666NR7012
VESSEY PARK	Whittaker Close	GORDONVALE	73659	76NR7416
VICO OVAL	Kirraly Close	MOOROOBOOL	156220	1SP244622
VICO STREET RESERVE	Hives Street	GORDONVALE	74498	47NR7477
VIEVERS PARK	Boland Street	WESTCOURT	47246	5C198437

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
WALKER RD SPORTING FACILITIES	Walker Road	EDMONTON	146103	304SP213786
WATER SUPPLY PARK	Lake Morris Road	KANIMBLA	86879	5RP884908
WATER SUPPLY PARK	Lake Morris Road	KANIMBLA	86878	3SP113631
WATER SUPPLY PARK	Lake Morris Road	KANIMBLA	107293	19SP110848
WATER SUPPLY RESERVE	The Rocks Road	REDLYNCH	95303	56SP265140
WATERLILLY PARK	Plaintain Street	KEWARRA BEACH	98997	202RP825831
WATERVALE CLOSE RESERVE	Redlynch Intake Road	REDLYNCH	93498	61RP804236
WATERVALE CLOSE RESERVE	Redlynch Intake Road	REDLYNCH	93520	63RP853462
WATKINS PARK	Augustus Street	MOOROOBOOL	58810	642NR6910
WEDELIA NATURE STRIP (MOUNTAIN VIEW PARK)	Robson Street	MOOROOBOOL	89814	991RP750076
WEGERT PARK	Timberlea Drive	BENTLEY PARK	145617	901SP210236
WESTERN ARTERIAL CONSERVATION PARK	Brinsmead Road	REDLYNCH	95269	3RP851436
WHIPBIRD PARK	Whipbird Drive	SMITHFIELD	157234	950SP257805
WIENERT PARK	Jubilee Street	EDMONTON	70851	2RP729059
WIENERT PARK	Jubilee Street	EDMONTON	70852	13RP704165

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
WILKS PARK	Wilks Street	BUNGALOW	48954	16RP723551
WILLIAMS RESERVE	Williams Esplanade	PALM COVE	79690	122SP202695
WILLIAMS ESPLANADE RES	Williams Esplanade	PALM COVE	79689	242SP202695
WILLOW RESERVE	Gerbera Street	HOLLOWAYS BEACH	87996	231NR6471
WILLOW RESERVE	Willow Street	HOLLOWAYS BEACH	87900	18RP818037
WILLOW RESERVE	Gerbera Street	HOLLOWAYS BEACH	87901	33RP818037
WILMOT PARK	Talaroo Street	EDMONTON	71075	235NR6447
WILSHIRE DRIVE PARK	Wiltshire Drive	GORDONVALE	100030	999SP101280
WILSHIRE DRIVE PARK	Madon Close	GORDONVALE	75498	1RP859339
WISEMAN ROAD RESERVE	Canecutter Road	EDMONTON	70836	45NR7872
WISTARIA RESERVE	Palm Street	HOLLOWAYS BEACH	87557	190NR6751
WONGA CLOSE PARK	Teewah Close	KEWARRA BEACH	105420	134SP119687
WONGA CLOSE PARK	Teewah Close	KEWARRA BEACH	105421	133SP119687
WONGA CLOSE PARK	Cronulla Close	KEWARRA BEACH	105422	132SP119687
WONGA CLOSE PARK	Wonga Close	KEWARRA BEACH	81689	126RP862920

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
WONGA CLOSE PARK	Teewah Close	KEWARRA BEACH	81696	129RP882930
WONGA CLOSE PARK	Sarina Close	KEWARRA BEACH	81690	124RP862920
WONGA CLOSE PARK	Wonga Close	KEWARRA BEACH	81688	125RP862920
WONGA CLOSE PARK	Wonga Close	KEWARRA BEACH	105421	127RP882930
WONGA CLOSE PARK	Cronulla Close	KEWARRA BEACH	81695	128RP882930
WONGA PARK	Peever Road	BABINDA	149912	233SP224290
WOODMONT PLACE PARK	Woodmont Place	MOOROOBOL	58829	979RP861046
WOODWARD PARK RESERVE	Centenary Close	MANOORA	65979	1RP725844
WOOPEN CREEK RD PARK	Bruce Highway	BARTLE FRERE	78527	234NR5990
XAVIER HERBERT DR PARK	The Rocks Road	REDLYNCH	149823	995SP222304
XAVIER HERBERT DRIVE PARK	Xavier Herbert Drive	REDLYNCH	151677	903SP218276
XAVIER HERBERT DRIVE PARK	Mackerras Street	REDLYNCH	153025	901SP230815
XAVIER HERBERT DRIVE PARK	Kippin Close	REDLYNCH	158802	902SP264281
XAVIER HERBERT DRIVE PARK	Xavier Herbert Drive	REDLYNCH	132847	995SP210211
XAVIER HERBERT DRIVE PARK	Xavier Herbert Drive	REDLYNCH	132846	994SP210211

Park / Reserve Name	Address	Suburb	Parcel	Lot & Plan
XAVIER HERBERT DRIVE PARK	The Rocks Road	REDLYNCH	151676	902SP218276
XAVIER HERBERT DRIVE PARK	Xavier Herbert Drive	REDLYNCH	151675	901SP218276
YORKEYS COMMUNITY CENTRE PARK	Wattle Street	YORKEYS KNOB	86019	2RP737261
ZANZOO RESERVE	Redlynch Intake Road	REDLYNCH	93686	1RP744005
ZECHAEN COURT PARK	Zechaen Court	BENTLEY PARK	69512	988RP843528
Unnamed Park	Upolu Esplanade	CLIFTON BEACH	157195	1SP256611
Unnamed Park	2-4 Chatham Terrace	SMITHFIELD	158028	30SP263781

(2) ~~Drainage reserves in the local government area~~

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
2ND HAND PARK DRAINAGE RESERVE	Palmerston Street	AEROGLEN	57302	12NR4175
ACCATINO CL DRAINAGE RESERVE	Osborn Crescent	EDMONTON	97903	996RP886985
ACCATINO CL DRAINAGE RESERVE	Osborn Crescent	EDMONTON	97904	992RP886986
ADVENTURE GULLY DRAINAGE RESERVE	Michaelangelo Drive	REDLYNCH	93377	398RP857650
ADVENTURE GULLY DRAINAGE RESERVE	Satinash Close	REDLYNCH	93375	384RP851527
AINSCOW DR DRAINAGE RESERVE	Ainscow Drive	BENTLEY PARK	131677	900SP204564
ALFINA ST DRAINAGE RESERVE	Timberlea Drive	BENTLEY PARK	98589	500RP907303
ALFINA ST DRAINAGE RESERVE	Goodsell Drive	BENTLEY PARK	114323	100SP166356
ALLYSON ST DRAINAGE RESERVE	-Anne Street	SMITHFIELD	96812	3RP720067
ALLYSON ST DRAINAGE RESERVE	-Anne Street	SMITHFIELD	98443	985RP867092
ALLYSON ST DRAINAGE RESERVE	-Anne Street	SMITHFIELD	98443	985RP867092
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	90048	1RP867078

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	90041	61RP892248
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	84520	2RP806700
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	84521	3RP728012
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	90049	2RP867078
ARAWA ST DRAINAGE RESERVE	Aropa Street	TRINITY BEACH	90042	62RP728028
ARAWA ST DRAINAGE RESERVE	Captain Cook Highway	TRINITY BEACH	180086	63RP803027
ARGENTEA BOULEVARD DRAINAGE RESERVE	Argentea Boulevard	PALM COVE	146600	201SP204570
AROONA ST DRAINAGE RESERVE	Fig Tree Drive	CARAVONICA	91833	490RP749666
ASHWOOD CIRCUIT DRAINAGE RESERVE	Ashwood Circuit	SMITHFIELD	145486	999SP207010
ASHWOOD CIRCUIT DRAINAGE RESERVE	Ashwood Circuit	SMITHFIELD	145484	997SP207010
ASHWOOD CIRCUIT DRAINAGE RESERVE	Bushlark Place	SMITHFIELD	145486	999SP207010
ATHERTON ST DRAINAGE RESERVE	Wattle Street	YORKEYS KNOB	86020	2RP715067

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
AVONDALE CREEK DRAINAGE RESERVE	Lakeside Drive	SMITHFIELD	290970	998SP207010
AVONDALE CREEK DRAINAGE RESERVE	Canopy's Edge Boulevard	SMITHFIELD	145480	993SP207010
BALMORAL CL DRAINAGE RESERVE	Bruce Highway	MOUNT SHERIDAN	66792	5RP748067
BALMORAL CL DRAINAGE RESERVE	Bruce Highway	MOUNT SHERIDAN	66793	7RP748067
BALMORAL CL DRAINAGE RESERVE	Bruce Highway	MOUNT SHERIDAN	67520	994RP857676
BALMORAL CL DRAINAGE RESERVE	Bruce Highway	MOUNT SHERIDAN	66789	4RP748067
BALMORAL CL DRAINAGE RESERVE	Bruce Highway	MOUNT SHERIDAN	66788	3RP748067
BANAGIDIRRI PARK DRAINAGE RESERVE	Hardy Road	MOUNT SHERIDAN	67318	202RP748716
BARCLAY RD DRAINAGE RESERVE	Barclay Road	BRINSMEAD	95287	503RP740372
BARCLAY RD DRAINAGE RESERVE	Leon Close	BRINSMEAD	95286	502RP740371
BAROSSA CL DRAINAGE RESERVE	Springmeadow Close	BRINSMEAD	112110	951SP164257
BATAAN ST DRAINAGE RESERVE	Reed Road	TRINITY PARK	84586	220RP729482
BATES ST DRAINAGE RESERVE	Barnes Street	EARLVILLE	105558	6SP108481

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
BAYVIEW ST DRAINAGE RESERVE	Scenic Street	BAYVIEW HEIGHTS	64753	97RP728480
BAYVIEW ST DRAINAGE RESERVE	Fairview Street	BAYVIEW HEIGHTS	64754	213RP731415
BAYVIEW ST DRAINAGE RESERVE	54 Marti Street	BAYVIEW HEIGHTS	64755	291RP731415
BEATRICE PARK DRAINAGE RESERVE	Beatrice Street	MOOROOBOOL	58431	500NR7273
BECK CLOSE DRAINAGE RES	Surtees Close	BENTLEY PARK	112991	997SP165876
BELAIR DR DRAINAGE RESERVE	Hillview Crescent	WHITFIELD	119841	701SP178672
BEN WILSON PARK DRAINAGE RESERVE	Anderson Road	BAYVIEW HEIGHTS	64735	99RP728482
BENJAMINA ST (LINEAR PARK) DRAINAGE RESERVE	Benjamina Street	MOUNT SHERIDAN	98822	987RP908154
BENJAMINA ST (LINEAR PARK) DRAINAGE RESERVE	84 Benjamina Street	MOUNT SHERIDAN	98823	988RP908158
BENN PARK (A) DRAINAGE RESERVE	Merrybrook Street	FRESHWATER	94752	637NR6891
BENN PARK (A) DRAINAGE RESERVE	Cassowary Street	FRESHWATER	94818	38RP725860
BENN PARK (B) DRAINAGE RESERVE	Lorikeet Street	FRESHWATER	94817	11RP724706
BENN ST DRAINAGE RESERVE	Benn Street	BRINSMEAD	95949	985RP860922

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
BENN ST DRAINAGE RESERVE	Reservoir Road	BRINSMEAD	95948	984RP860922
BILL McCLOSKEY DRAINAGE RESERVE	Givens Street	WESTCOURT	48656	6RP711980
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47088	9RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47087	8RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47079	1RP730693
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	48657	6RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47084	5RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47083	4RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47086	7RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47089	10RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47082	3RP701382
BILL McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47081	2RP701382

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dillon Street	MOOROOLBOOL	47080	1RP701382
BILL _____ McCLOSKEY DRAINAGE RESERVE	Givens Street	WESTCOURT	47093	6RP718090
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dillon Street	WESTCOURT	48657	1RP718090
BILL _____ McCLOSKEY DRAINAGE RESERVE	Givens Street	WESTCOURT	47091	16RP728405
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dalton Street	WESTCOURT	47074	15RP728406
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dillon Street	WESTCOURT	47092	14RP728407
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dalton Street	WESTCOURT	47075	13RP728408
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dillon Street	WESTCOURT	47076	12RP728409
BILL _____ McCLOSKEY DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	47073	32RP717541
BILL _____ McCLOSKEY DRAINAGE RESERVE	Dillon Street	WESTCOURT	47077	11RP728410
BILL _____ McCLOSKEY DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	47078	10RP728411
BILL _____ McCLOSKEY DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	47094	9RP728412
BILL _____ McCLOSKEY DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	48658	736NR5980

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
BILL McCLOSKEY DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	48656	6RP711980
BLACKWOOD PL DRAINAGE RESERVE	Timberlea Drive	BENTLEY PARK	121585	997SP184863
BODEN ST DRAINAGE RESERVE	Rutherford Street	YORKEYS KNOB	85743	452RP710126
BOOYONG DR DRAINAGE RESERVE	Booyong Drive	MOUNT SHERIDAN	122923	2018SP18968 5
BOSUN PL DRAINAGE RESERVE	Roberts Drive	TRINITY BEACH	126044	901SP196222
BOXWOOD CL DRAINAGE RESERVE	Verbena Drive	MOUNT SHERIDAN	73234	804RP890794
BOXWOOD CL DRAINAGE RESERVE	Verbena Drive	MOUNT SHERIDAN	73235	805RP890794
BOXWOOD CL DRAINAGE RESERVE	Verbena Drive	MOUNT SHERIDAN	66818	803RP862239
BOXWOOD CL DRAINAGE RESERVE	Hardy Road	MOUNT SHERIDAN	66818	803RP862239
BRIAN ST DRAINAGE RESERVE	Dungarvan Drive	BRINSMEAD	95459	904SP109005
BRIESE CL DRAINAGE RESERVE	Farmer Street	EDMONTON	99810	985SP101276
BRINDSMEAD ROAD DRAINAGE RESERVE	Brian Street	BRINSMEAD	95774	900SP109006
BRINSMEAD PARK DRAINAGE RESERVE	9 Leon Close	BRINSMEAD	95289	504NR7234

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
BROLGA PARK DRAINAGE RESERVE	Gannet Street	KEWARRA BEACH	81721	212NR6930
BROLGA PARK DRAINAGE RESERVE	Kewarra Street	KEWARRA BEACH	81719	177RP733915
BUGEJA PARK DRAINAGE RESERVE	Cassowary Street	FRESHWATER	94783	679NR7056
BUTLAND ST DRAINAGE RESERVE	Butland Street	BRINSMEAD	95455	3RP744187
BUTLAND ST DRAINAGE RESERVE	St Albans Close	BRINSMEAD	105361	950SP109469
BUTLAND ST DRAINAGE RESERVE	Wills Street	BRINSMEAD	95457	7RP800845
BUTLER ST DRAINAGE RESERVE	Butler Street	BRINSMEAD	95586	997RP748232
BUTLER ST DRAINAGE RESERVE	Butler Street	BRINSMEAD	95861	998RP748232
BUTLER ST DRAINAGE RESERVE	Butler Street	BRINSMEAD	95862	999RP748232
BUTLER ST DRAINAGE RESERVE	Butler Street	BRINSMEAD	95454	2RP744187
BYRNES HILL PARK DRAINAGE RESERVE	Walsh Street	EDGE HILL	102866	86RP713475
CAESAR PARK DRAINAGE RESERVE	Janus Close	MOOROOBOOL	59548	223NR7313
CAESAR PARK DRAINAGE RESERVE	Janus Close	MOOROOBOOL	59210	676NR7041

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
CAIRNS AFL DRAINAGE RESERVE	Mulgrave Road	WESTCOURT	117981	30SP171190
CAIRNS RD DRAINAGE RESERVE	Cairns Road	GORDONVALE	73879	192NR6106
CAIRNS RD DRAINAGE RESERVE	Clarke Street	GORDONVALE	73880	193NR6106
CAIRNS RD DRAINAGE RESERVE	Cairns Road	GORDONVALE	73886	233NR6106
CALLUM ST DRAINAGE RESERVE	Irene Street	MOOROOBOOL	58129	503RP850126
CANECUTTER RD DRAINAGE RESERVE	Wiseman Road West	EDMONTON	70816	502SP100515
CANECUTTER RD DRAINAGE RESERVE	Walker Road	EDMONTON	97667	500RP887878
CANOPY EDGE DRAINAGE RESERVE	Captain Cook Highway	SMITHFIELD	155354	500SP238230
CANOPYS EDGE BVD DRAINAGE RESERVE	Canopy's Edge Boulevard	SMITHFIELD	145482	995SP207010
CAPER ST DRAINAGE RESERVE	Benamina Street	MOUNT SHERIDAN	99786	980SP101287
CAPRICORN ST DRAINAGE RESERVE	Whela Close	BENTLEY PARK	128555	38SP196243
CAPTAIN COOK DRAINAGE RESERVE	Veivers Road	PALM COVE	126307	100SP196699
CAPTAIN COOK DRAINAGE RESERVE	Captain Cook Highway	PALM COVE	80506	3RP733184

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
CAPTAIN _____ COOK DRAINAGE RESERVE	Captain _____ Cook Highway	PALM COVE	80510	232NR6619
CARNE PARK DRAINAGE RESERVE	Farmer Street	EDMONTON	68675	992RP860919
CARNE PARK DRAINAGE RESERVE	Talisman Close	EDMONTON	71776	1RP732556
CARNE PARK DRAINAGE RESERVE	Shaft Street	EDMONTON	107365	999SP126563
CARNE PARK DRAINAGE RESERVE	Talisman Close	EDMONTON	71751	1RP728640
CARNE PARK DRAINAGE RESERVE	Farmer Street	EDMONTON	97373	996RP886997
CARNE PARK DRAINAGE RESERVE	Talisman Close	EDMONTON	68714	993RP851628
CARNE PARK DRAINAGE RESERVE	Farmer Street	EDMONTON	68680	991RP860919
CASSOWARY _____ ST DRAINAGE RESERVE	Cassowary Street	FRESHWATER	94728	74RP860959
CASSOWARY _____ ST DRAINAGE RESERVE	Merrybrook Street	FRESHWATER	95076	48RP725860
CASSOWARY _____ ST DRAINAGE RESERVE	Merrybrook Street	FRESHWATER	95081	72RP749733
CHAPEL CL DRAINAGE RESERVE	Mayers Street	BRINSMEAD	109710	900SP153384
CHARLTON _____ ST DRAINAGE RESERVE	Bruce Highway	GORDONVALE	132109	902SP204562

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
CHESTERFIELD CL DRAINAGE RESERVE	Benn Street	BRINSMEAD	95942	987RP906681
CITY VIEW CRESCENT DRAINAGE RESERVE	City View Crescent	MOOROOBOOL	156004	901SP243335
CLELAND ST DRAINAGE RESERVE	Buzacott Street	GORDONVALE	74357	15G47839
CLIFFDALE ST DRAINAGE RESERVE	Cliffdale Street	BENTLEY PARK	125377	996SP189717
COASTWATCHER PARK DRAINAGE RESERVE	Lae Street	TRINITY BEACH	82793	363RP729082
COCHRANE ST DRAINAGE RESERVE	McGoombe Street	MOOROOBOOL	61103	6G198435
COLONIAL CL DRAINAGE RESERVE	Heritage Central Street	REDLYNCH	98760	995SP101282
COLONIAL CL DRAINAGE RESERVE	Heritage Central Street	REDLYNCH	148943	902SP201256
CONWAY CL DRAINAGE RESERVE	Conway Close	BENTLEY PARK	130937	942SP207009
COPEMAN PARK DRAINAGE RESERVE	Primo Street	FRESHWATER	94706	678NR7056
COTTESLOE DRIVE DRAINAGE RESERVE	Cottesloe Drive	KEWARRA BEACH	131951	905SP207575
COTTONWOOD CL DRAINAGE RESERVE	Cottonwood Close	MOUNT SHERIDAN	97210	998RP887081
CRACKNELL RD DRAINAGE RESERVE	Sheehy Road	WHITE ROCK	65768	68RP868161

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
CUMBERLAND AV DRAINAGE RESERVE	Cantal Close	SMITHFIELD	90906	2SP276823
CUMBERLAND AV DRAINAGE RESERVE	Pennine Close	SMITHFIELD	90905	197NR6889
CURRAWONG ST DRAINAGE RESERVE	Matisia Close	BAYVIEW HEIGHTS	131024	1SP201312
DE JARLAIS ST DRAINAGE RESERVE	De Jarlais Street	EARLVILLE	102985	597NR6443
DE JARLAIS ST DRAINAGE RESERVE	Yara Street	EARLVILLE	61633	2RP731469
DE JARLAIS ST DRAINAGE RESERVE	De Jarlais Street	EARLVILLE	102357	30RP748185
DE JARLAIS ST DRAINAGE RESERVE	De Jarlais Street	EARLVILLE	102358	104RP748185
DE JARLAIS ST DRAINAGE RESERVE	Lissner Crescent	EARLVILLE	102359	105RP748186
DE JARLAIS ST DRAINAGE RESERVE	Lissner Crescent	EARLVILLE	102360	106RP748186
DE JARLAIS ST DRAINAGE RESERVE	Gommory Close	EARLVILLE	102362	107RP748190
DE JARLAIS ST DRAINAGE RESERVE	De Jarlais Street	EARLVILLE	102361	108RP748189
DEAUVILLE CL DRAINAGE RESERVE	Deauville Close	YORKEYS KNOB	86022	78RP726837
DEL MANSO ST DRAINAGE RESERVE	Accatino Close	EDMONTON	98628	985RP906385

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
DEL — MANSO — ST DRAINAGE RESERVE	Canecutter Road	EDMONTON	99335	982RP908365
DEMPSEY ST DRAINAGE RESERVE	Warncke Close	GORDONVALE	99034	5RP893027
DILLON CL DRAINAGE RESERVE	Dillon Close	WHITE ROCK	66272	420NR7951
DOLLISON ST DRAINAGE RESERVE	McCormack Street	MANUNDA	104222	10RP715895
DRAINAGE — RESERVE (OFF MAGAZINE ST)	Magazine Street	STRATFORD	93745	493NR4910
DRAPER RD DRAINAGE RESERVE	Draper Road	GORDONVALE	127218	12SP196294
DUNGARVAN — DR DRAINAGE RESERVE	Butler Street	BRINSMEAD	128529	903SP192169
EARLY SETTLER PARK DRAINAGE RESERVE	Harvey Road	REDLYNCH	100625	117SP114485
EDGE CL DRAINAGE RESERVE	Cyprea Close	KEWARRA BEACH	145435	600SP207593
EDGE CL DRAINAGE RESERVE	Strombus Avenue	TRINITY BEACH	83352	25RP851537
EDMONDS CL DRAINAGE RESERVE	Edmonds Close	BENTLEY PARK	69182	973RP857542
ELLEN CL DRAINAGE RESERVE	Villa Street	BAYVIEW HEIGHTS	109109	990SP121904
ELLEN CL DRAINAGE RESERVE	Fairview Street	BAYVIEW HEIGHTS	106447	194RP731417

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
ELLEN CL DRAINAGE RESERVE	Anderson Road	BAYVIEW HEIGHTS	64563	200RP861047
ELPHINSTONE ST DRAINAGE RESERVE	Ramsey Drive	KANIMBLA	109071	810SP146132
ELPHINSTONE ST DRAINAGE RESERVE	McFarlane Drive	KANIMBLA	117820	792SP173560
ENDEAVOUR PARK DRAINAGE RESERVE	MacNamara Street	MANUNDA	103812	2C198410
ENDEAVOUR PARK DRAINAGE RESERVE	Patience Street	MANUNDA	109239	125SP136286
ENDEAVOUR PARK DRAINAGE RESERVE	McCormack Street	MANUNDA	109719	19613C198440
EUCALYPTUS DR DRAINAGE RESERVE	Eucalyptus Drive	REDLYNCH	114530	999SP167090
EVERGREEN DRAINAGE RESERVE	Evergreen Street	CLIFTON BEACH	89511	216NR7040
FAIRVIEW ST DRAINAGE RESERVE	Woomala Street	BAYVIEW HEIGHTS	65111	1RP819030
FAIRVIEW ST DRAINAGE RESERVE	Turquoise Close	BAYVIEW HEIGHTS	107383	13SP133379
FAIRVIEW ST DRAINAGE RESERVE	Anderson Road	BAYVIEW HEIGHTS	64720	96RP728481
FALCON ST DRAINAGE RESERVE	Falcon Street	BAYVIEW HEIGHTS	98454	900RP893525
FALCON ST DRAINAGE RESERVE	Falcon Street	BAYVIEW HEIGHTS	65106	20SP116200

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
FALCON STREET Drainage Reserve	Anderson Road	BAYVIEW HEIGHTS	107822	244SP116201
FEARNLEY ST STH DRAINAGE RESERVE	Draper Street	PORTSMITH	50629	4NR7868
FEARNLEY STREET DRAINAGE RESERVE	Mann Street	WESTCOURT	109192	118SP136287
FISHER RD DRAINAGE RESERVE	Murphy Street	GORDONVALE	74521	2RP859339
FISHER RD DRAINAGE RESERVE	Dall'alba Close	GORDONVALE	74525	3RP865402
FITZMAURICE DR DRAINAGE RESERVE	Fitzmaurice Drive	BENTLEY PARK	122399	996SP187422
FITZMAURICE DR DRAINAGE RESERVE	Fitzmaurice Drive	BENTLEY PARK	128556	39SP196243
FITZMAURICE DR DRAINAGE RESERVE	Bunday Street	BENTLEY PARK	146397	992SP210233
FITZMAURICE DR DRAINAGE RESERVE	Starr Close	BENTLEY PARK	115574	999SP175694
FLORA CL DRAINAGE RESERVE	Bramble Street	CLIFTON BEACH	81129	4RP861089
FLORA CLOSE DRAINAGE RESERVE	Bramble Street	CLIFTON BEACH	98751	901RP887779
FOLEY STREET DRAINAGE RESERVE	Hideaway Close	PALM COVE	157373	904SP257812
FOREST GARDENS DRAINAGE RESERVE	Candlenut Close	MOUNT SHERIDAN	110979	973SP160314

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
FOREST GARDENS THE LAKES DRAINAGE RESERVE	Banyan Close	MOUNT SHERIDAN	97717	999RP894876
FRESHWATER CREEK DRAINAGE RESERVE	Fronde Close	REDLYNCH	129646	998SP196240
FULLER PARK DRAINAGE RESERVE	Armstrong Street	EDMONTON	71565	3RP738479
FULLER PARK DRAINAGE RESERVE	Badilla Street	EDMONTON	71667	95RP728041
FULLER PARK DRAINAGE RESERVE	Badilla Street	EDMONTON	71687	96RP728042
GAMBURRA DRIVE DRAINAGE RESERVE	Red Ochre Street	REDLYNCH	129645	803SP196240
GEORGE CHAPMAN PARK DRAINAGE RESERVE	Reservoir Road	BRINSMEAD	95988	994RP846879
GEORGE CHAPMAN PARK DRAINAGE RESERVE	East Parkridge Drive	BRINSMEAD	112111	952SP256251
GIAUCA ST DRAINAGE RESERVE	Redlynch Intake Road	REDLYNCH	109763	998SP149837
GILLIES HWY DRAINAGE RESERVE	Drexel Close	GORDONVALE	74869	100RP749122
GLOUCESTER ST DRAINAGE RESERVE	Gloucester Street	WHITFIELD	59916	998RP892236
GLOUCESTER ST DRAINAGE RESERVE	Gloucester Street	WHITFIELD	59928	997RP892240

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
GOLDEN GVE DRAINAGE RESERVE	Golden Grove Drive	BENTLEY PARK	115465	24SP173676
GOLDEN GVE DRAINAGE RESERVE	Robert Road	BENTLEY PARK	67316	1RP851511
GOODSELL DR DRAINAGE RESERVE	Thorpe Place	BENTLEY PARK	114325	102SP166356
GOOMBOORA PARK DRAINAGE RESERVE	Shale Street	BRINSMEAD	95409	670NR7026
GOOMBOORA PARK DRAINAGE RESERVE	Shale Street	BRINSMEAD	95258	3RP726839
GOOMBOORA PARK DRAINAGE RESERVE	Redlynch Intake Road	REDLYNCH	92773	4RP837733
GRACE CL DRAINAGE RESERVE	Grace Close	WHITFIELD	111774	5SP117170
GRANDILLA DR DRAINAGE RESERVE	Barnes Street	EARLVILLE	101962	37RP739184
GRANDVIEW CR DRAINAGE RESERVE	Granadilla Drive	EARLVILLE	101540	20NR7835
GREENBANK WEST RD DRAINAGE RESERVE	Greenbank West Road	STRATFORD	93725	747NR6605
GREENBANK WEST RD DRAINAGE RESERVE	Greenbank West Road	STRATFORD	117204	2SP171187
GREENHAVEN ST DRAINAGE RESERVE	Bramble Street	CLIFTON BEACH	98752	902RP887779

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
GREENVALE CL DRAINAGE RESERVE	18 Greenvale Close	SMITHFIELD	150195	101SP224674
HARGREAVES ST DRAINAGE RESERVE	Bruce Highway	EDMONTON	146838	994SP212585
HARGREAVES ST DRAINAGE RESERVE	Swallow Road	EDMONTON	160848	903SP100179
HARTLEY STREET DRAINAGE RESERVE	Hartley Street	BUNGALOW	50420	716C198404
HARVEY RD DRAINAGE RESERVE	Kamerunga Road	REDLYNCH	92518	696NR7087
HARVEY RD DRAINAGE RESERVE	Harvey Road	REDLYNCH	92516	302RP746784
HEMMING CREEK DRAINAGE RESERVE	Bruce Highway	GORDONVALE	98538	8SP218269
HEMMING CREEK DRAINAGE RESERVE	Riverstone Road	GORDONVALE	98540	2RP893112
HEMMING CREEK DRAINAGE RESERVE	Bruce Highway	GORDONVALE	98539	5RP893111
HENDERSON CL DRAINAGE RESERVE	McFarlane Drive	KANIMBLA	87231	202RP747017
HENLEY ST DRAINAGE RESERVE	Mulgrave Road	WOREE	49582	518NR5501
HERITAGE ST DRAINAGE RESERVE	Short Street	REDLYNCH	98758	996RP906402
HERITAGE ST DRAINAGE RESERVE	Short Street	REDLYNCH	98759	994SP101282

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
HERITAGE ST DRAINAGE RESERVE	Short Street	REDLYNCH	111755	901SP142691
HERITAGE ST STH DRAINAGE RESERVE	Heritage South Street	REDLYNCH	123064	903SP186244
HIGHLEIGH RD DRAINAGE RESERVE	Highleigh Road	GORDONVALE	73533	231NR838281
HILLMAN PL DRAINAGE RESERVE	Keppel Place	BENTLEY PARK	121587	999SP184863
HISPIDA CT DRAINAGE RESERVE	Benjamina Street	MOUNT SHERIDAN	99610	385RP910519
HOBSON-LATREILLE DRAINAGE RESERVE	Latreille Terrace	BRINSMEAD	96119	518RP746527
HOBSON-LATREILLE DRAINAGE RESERVE	Hobson Drive	BRINSMEAD	96409	515RP746461
HOBSON-LATREILLE DRAINAGE RESERVE	Brady Close	BRINSMEAD	96072	507RP743996
HOBSON-LATREILLE DRAINAGE RESERVE	Hobson Drive	BRINSMEAD	113062	518SP166342
HOBSON-LATREILLE DRAINAGE RESERVE	Latreille Terrace	BRINSMEAD	96255	510RP745143
HOBSON-LATREILLE DRAINAGE RESERVE	Hobson Drive	BRINSMEAD	96408	514RP746461
HOLLYWOOD BVD DRAINAGE RESERVE	Sheehy Road	WHITE ROCK	65599	68RP743959
HOLLYWOOD BVD DRAINAGE RESERVE	Sheehy Road	WHITE ROCK	65742	674NR7090

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
HOWARD BAILEY PK DRAINAGE RESERVE	Klarwein Close	GORDONVALE	73639	77NR7679
IMPEY ST DRAINAGE RESERVE	Lake Placid Road	CARAVONICA	92225	199RP743155
INTAKE RD DRAINAGE RESERVE	Redlynch Intake Road	REDLYNCH	117326	999SP178261
IRENE ST DRAINAGE RESERVE	Carnation Drive	MOOROOROO	89725	9NR7759
IRENE ST DRAINAGE RESERVE	Irene Street	MOOROOROO	60365	115RP736310
IRENE ST DRAINAGE RESERVE	Pomona Avenue	MOOROOROO	59275	227RP738448
IRENE ST DRAINAGE RESERVE	Sunflower Drive	MOOROOROO	57478	742NR6506
IRENE ST DRAINAGE RESERVE	Gordon Street	EARLVILLE	86383	2RP731490
IRENE ST DRAINAGE RESERVE	Irene Street	MOOROOROO	59196	675NR7041
IRENE ST DRAINAGE RESERVE	Pomona Avenue	MOOROOROO	59197	226NR7167
IRENE ST DRAINAGE RESERVE	Irene Street	MOOROOROO	60357	659NR6962
IRENE ST DRAINAGE RESERVE	Irene Street	MOOROOROO	60385	641NR6909
IRENE ST DRAINAGE RESERVE	Carnation Drive	MOOROOROO	60389	36RP903336

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
IRENE ST DRAINAGE RESERVE	Ivy Close	MOOROOBOOL	53681	873NR7964
IRENE ST DRAINAGE RESERVE	Langan Street	EARLVILLE	60391	724NR7504
IRENE ST DRAINAGE RESERVE	Langan Street	EARLVILLE	86611	1RP731490
IRENE ST DRAINAGE RESERVE	Mestrez Street	MOOROOBOOL	58184	268NR7251
IRENE ST DRAINAGE RESERVE	Mansfield Street	EARLVILLE	89826	12RP748227
ISHMAEL RD DRAINAGE RESERVE	McCoombe Street	EARLVILLE	50390	2RP735974
ISHMAEL RD DRAINAGE RESERVE	McCoombe Street	EARLVILLE	50390	2RP707201
ISHMAEL ROAD DRAINAGE RESERVE	Ishmael Road	EARLVILLE	47130	640NR6906
JAK GEE ST DRAINAGE RESERVE	Jak Gee Street	REDLYNCH	99914	901SP101273
JAK GEE ST DRAINAGE RESERVE	Fairley Street	REDLYNCH	132191	904SP207021
JALARRA PARK DRAINAGE RESERVE	Stratford Chase	STRATFORD	94148	492CP893030
JAMES COOK DR DRAINAGE RESERVE	James Cook Drive	KEWARRA BEACH	89905	74RP746009
JAMES COOK DR DRAINAGE RESERVE	James Cook Dive	KEWARRA BEACH	89827	76NR7762

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
JAMES COOK DR EAST DRAINAGE RESERVE	James Cook Drive	KEWARRA BEACH	89932	80RP746126
JAMES COOK DRIVE DRAINAGE RESERVE	James Cook Drive	KEWARRA BEACH	89825	77RP746008
JASMINE ST DRAINAGE RESERVE	Jasmine Street	REDLYNCH	93376	385RP851364
JENSEN ST EAST DRAINAGE RESERVE	Oregon Street	MANOORA	76145	677NR7050
JENSEN ST EAST DRAINAGE RESERVE (PART)	Jensen Street	MANOORA	76155	30RP736343
JENSEN ST NORTH DRAINAGE RESERVE	Jensen Street	MANOORA	75912	2RP739192
JENSEN ST WEST DRAINAGE RESERVE	Ireland Crescent	MANOORA	75777	75RP731062
JENSEN ST WEST DRAINAGE RESERVE	Ireland Crescent	WHITFIELD	78285	41RP746751
JIM GOULD PARK DRAINAGE RESERVE	Dalrymple Street	EDGE HILL	{Road Reserve}	{Road Reserve}
KAHLU PARK DRAINAGE RESERVE	Tiffany Street	WHITE ROCK	66341	300RP747290
KATOOMBA ST DRAINAGE RESERVE	Bulimba Crescent	MOUNT SHERIDAN	108463	502SP143225
KEEBLE ST DRAINAGE RESERVE	Moody Street	MOOROOBOOL	46664	8RP711662
KEIRLE AV DRAINAGE RESERVE	Keirle Avenue	WHITFIELD	101262	505NR5149

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
KERN ST DRAINAGE RESERVE	Cairns Road	GORDONVALE	73342	8G47849
KESWICK CL DRAINAGE RESERVE	Sugarmill Street	MOUNT SHERIDAN	121475	999SP184848
KIDMAN ST DRAINAGE RESERVE	Tarantino Crescent	WHITE ROCK	125025	998SP196216
KOCH ST DRAINAGE RESERVE	Alfred Street	MANUNDA	46756	712NR5528
KOOKABURRA PARK DRAINAGE RESERVE	Heron Close	KEWARRA BEACH	82269	4RP748908
KOOKABURRA PARK DRAINAGE RESERVE	Portsea Crescent	KEWARRA BEACH	99033	994RP887084
KOOKABURRA PARK DRAINAGE RESERVE	Gannet Street	KEWARRA BEACH	129270	3SP189938
KOOKABURRA PK WEST DRAINAGE RESERVE	Portsea Crescent	KEWARRA BEACH	82270	1RP747619
KOPPEN PARK DRAINAGE RESERVE	Dunbar Street	MOOROBOOL	57871	501RP850110
KOWINKA ST DRAINAGE RESERVE	Quamby Close	WHITE ROCK	65590	121RP726703
KOWINKA ST DRAINAGE RESERVE	Kimba Close	WHITE ROCK	65589	123RP726702
KOWINKA ST DRAINAGE RESERVE	Kimba Close	WHITE ROCK	65477	5RP727282
LACEWING DR DRAINAGE RESERVE	Lacewing Drive	MOUNT SHERIDAN	115026	2006SP17300 3

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
LACEWING DR DRAINAGE RESERVE	Lacewing Drive	MOUNT SHERIDAN	125697	2020SP19309 3
LACEWING DR DRAINAGE RESERVE	Whitewood Close	MOUNT SHERIDAN	125934	2021SP19309 4
LAKE MORRIS RD DRAINAGE RESERVE	Augustus Street	MOOROOBOOL	60364	185RP741235
LAKE MORRIS RD DRAINAGE RESERVE	Irene Street	MOOROOBOOL	59324	999RP851635
LAKE MORRIS RD DRAINAGE RESERVE	Irene Street	MOOROOBOOL	60366	116RP736310
LAKE MORRIS RD DRAINAGE RESERVE	Irene Street	MOOROOBOOL	60363	117RP736342
LAKE MORRIS RD DRAINAGE RESERVE	Woodmont Place	MOOROOBOOL	89893	982RP835645
LAKE MORRIS RD DRAINAGE RESERVE	Woodmont Place	MOOROOBOOL	59333	901RP886984
LARSEN RD DRAINAGE RESERVE	Heritage Central Street	REDLYNCH	148942	901SP201256
LAUREL PARK DRAINAGE RESERVE	Nutmeg Street	MOUNT SHERIDAN	125686	200SP184841
LEFTWICH STREET DRAINAGE RESERVE	Goldberg Close	WHITE ROCK	126401	997SP193090
LENNON ST DRAINAGE RESERVE	Birch Street	MANUNDA	104590	1RP889325
LENNON ST DRAINAGE RESERVE	Melaleuca Street	MANUNDA	46743	43RP727323

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
LEONARD ST DRAINAGE RESERVE	Leonard Street	KEWARRA BEACH	120401	102SP182888
LEONARD ST DRAINAGE RESERVE	Leonard Street	KEWARRA BEACH	120400	101SP182888
LEONI PARK (A) DRAINAGE RESERVE	Solomon Place	MOOROOBOOL	90283	984RP835644
LEONI PARK (B) DRAINAGE RESERVE	Summer Hill Drive	MOOROOBOOL	90284	985RP835644
LES DAVIES PARK-A DRAINAGE RESERVE	Digger Street	CAIRNS NORTH	57098	469NR4535
LES DAVIES PARK-B DRAINAGE RESERVE	Sheridan Street	CAIRNS NORTH	57099	470NR8094
LES DAVIES PARK-C DRAINAGE RESERVE	Digger Street	CAIRNS NORTH	57097	459NR4535
LILLIAS CL DRAINAGE RESERVE	Lillias Close	EARLVILLE	60105	14RP894872
LILY CK DRAINAGE RESERVE	Grove Street	PARRAMATTA PARK	52695	766NR6566
LILY CREEK DRAINAGE RESERVE	Martyn Street	PARRAMATTA PARK	112207	102SP153989
LILY CREEK DRAINAGE RESERVE	Upward Street	PARRAMATTA PARK	111454	14SP165248
LILY CREEK DRAINAGE RESERVE	Minnie Street	PARRAMATTA PARK	52051	761NR8057
LILY ST DRAINAGE RESERVE	Little Street	CAIRNS NORTH	109240	71SP136285

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
LINDEN ST DRAINAGE RESERVE	Linden Street	PALM COVE	123705	902SP181538
LINDEN ST DRAINAGE RESERVE	Linden Street	CLIFTON BEACH	131901	301SP192156
LITARA COURT DRAINAGE RESERVE	Linden Street	PALM COVE	151871	903SP222292
LITTLE BARLOW PARK DRAINAGE RESERVE	Quigley Street	PARRAMATTA PARK	51846	750CP912877
LITTLE BARLOW PARK DRAINAGE RESERVE	Quigley Street	PARRAMATTA PARK	51846	750CP912877
LITTLE CUMBERLAND AV DRAINAGE RESERVE	Captain Cook Highway	SMITHFIELD	90901	280RP736339
LITTLE CUMBERLAND AV DRAINAGE RESERVE	Pennine Close	SMITHFIELD	90902	281RP736339
LITTLE GRANADILLA PARK DRAINAGE RESERVE	Granadilla Drive	EARLVILLE	101756	744NR6554
LITTLE PERCY ST DRAINAGE RESERVE	Percy Street	MOUNT SHERIDAN	120664	800SP178698
LORIDAN DR DRAINAGE RESERVE	Loridan Drive	BRINSMEAD	95456	4RP800845
LORIDAN DR DRAINAGE RESERVE	Loridan Drive	BRINSMEAD	95290	506RP896918
LORIDAN DR DRAINAGE RESERVE	Loridan Drive	BRINSMEAD	95453	1RP744187
LORIDAN DR DRAINAGE RESERVE	Meander Close	BRINSMEAD	95547	896RP899534

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
LORIDAN DRIVE DRAINAGE RESERVE	Country Court	BRINSMEAD	95544	897SP105725
LUCKY ST DRAINAGE RESERVE	Mt Peter Road	EDMONTON	106947	996SP133373
LUM JIM STREET DRAINAGE RESERVE	Lum Jim Street	REDLYNCH	156746	908SP254688
LYDIA ST DRAINAGE RESERVE	Anne Street	SMITHFIELD	90165	202RP747667
LYDIA ST DRAINAGE RESERVE	Lydia Street	SMITHFIELD	90169	203RP747667
LYDIA ST DRAINAGE RESERVE	Dennison Court	SMITHFIELD	90168	201SP263782
LYONS ST DRAINAGE RESERVE	Hollingsworth Street	PORTSMITH	110951	999SP154020
MACKERRAS STREET DRAINAGE RESERVE	Mackerras Street	REDLYNCH	154531	900SP230807
MADIGANS DR DRAINAGE RESERVE	Mentana Close	MOUNT SHERIDAN	111751	2001SP16425 1
MADON CL DRAINAGE RESERVE	Dempsey Street	GORDONVALE	100029	998SP101280
MALEKULA CLOSE DRAINAGE RESERVE	Shelbourne Street	BENTLEY PARK	145618	902SP210236
MALLICOOLA CR DRAINAGE RES	Walker Road	EDMONTON	100246	302SP103359
MALLICOOLA CR DRAINAGE RESERVE	Barramulla Close	EDMONTON	125625	991SP192141

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
MANGOSTEEN CL DRAINAGE RESERVE	Knigh Road	SMITHFIELD	90658	30RP737321
MANGOSTEEN CL DRAINAGE RESERVE	Knigh Road	SMITHFIELD	90664	22RP843543
MANSFIELD ST DRAINAGE RESERVE	Mansfield Street	EARLVILLE	63163	73RP726324
MAPLE ST DRAINAGE RESERVE	Oleander Street	HOLLOWAYS BEACH	88172	209NR6880
MAPLE ST DRAINAGE RESERVE	Maple Street	HOLLOWAYS BEACH	88171	208NR6880
MAREE ST DRAINAGE RESERVE	Maree Street	FRESHWATER	95019	3RP725458
MAREE ST DRAINAGE RESERVE	Morris Street	FRESHWATER	95020	5RP726663
MARSHALL ST DRAINAGE RESERVE	Marshall Street	MACHANS BEACH	88550	2RP721342
MARY PARKER DR DRAINAGE RESERVE	Redlynch Intake Road	REDLYNCH	412229	900SP162917
MASON ST DRAINAGE RESERVE	Mason Street	STRATFORD	94060	1RP712932
MASON ST DRAINAGE RESERVE	Dalziel Street	STRATFORD	94019	6RP703172
MASON ST DRAINAGE RESERVE	Dalziel Street	STRATFORD	94020	7RP703172
MATHESON DR DRAINAGE RESERVE	Matheson Drive	BRINSMEAD	96094	1RP802269

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
MATHESON DR DRAINAGE RESERVE	Matheson Drive	BRINSMEAD	95291	507RP896918
MATHESON DR DRAINAGE RESERVE	Wills Street	BRINSMEAD	95546	895RP899534
MATISIA CL DRAINAGE RESERVE	Quail Close	MOUNT SHERIDAN	110980	974SP160314
MAURO CL DRAINAGE RESERVE	Conway Close	BENTLEY PARK	147535	996SP214843
MAYERS ST DRAINAGE RESERVE	Mayers Street	EDGE HILL	103082	1C198326
MAYERS ST DRAINAGE RESERVE	Compass Close	EDGE HILL	102909	735NR5221
MAYFLOWER ST NORTH DRAINAGE RESERVE	Mayflower Street	MOUNT SHERIDAN	116352	903SP173565
MAYFLOWER ST STH DRAINAGE RESERVE	Mayflower Street	MOUNT SHERIDAN	116353	904SP173565
MAYTOWN CL DRAINAGE RESERVE	Centenary Close	MANOORA	76703	614NR6725
McALPINE CL DRAINAGE RESERVE	McAlpine Close	BRINSMEAD	95987	993RP846879
MCBRIDE ST DRAINAGE RESERVE	Xavier Herbert Drive	REDLYNCH	145333	996SP210213
McCORMACK ST DRAINAGE RESERVE	Blantyre Close	MANUNDA	104661	665NR7004
McCORMACK ST DRAINAGE RESERVE	English Street	MANUNDA	104069	757NR6403

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
McFARLANE DR DRAINAGE RESERVE	McFarlane Drive	KANIMBLA	87232	203RP747018
MCGREGOR RD DRAINAGE RESERVE	Cheviot Street	SMITHFIELD	85009	199RP749572
MCGREGOR RD DRAINAGE RESERVE	McGregor Road	SMITHFIELD	85010	200RP855865
MCKINNONS CREEK DRAINAGE RESERVE	Mulindie Close	EDMONTON	71009	22RP738459
MCKINNONS CREEK DRAINAGE RESERVE	Mulindie Close	EDMONTON	71047	132RP732285
MCKINNONS CREEK DRAINAGE RESERVE	Mulindie Close	EDMONTON	71053	131RP731086
MCLEOD STREET DRAINAGE RESERVE	McLean Street	EDGE HILL	131687	615SP201236
McMANUS ST DRAINAGE RESERVE	Brooks Street	WHITFIELD	100905	17RP742304
MCSWEENEY CR DRAINAGE RESERVE	Dempsey Street	GORDONVALE	146554	997SP210229
MEGALONG CLOSE DRAINAGE RESERVE	McGregor Road	SMITHFIELD	149227	992SP222745
MESTREZ ST DRAINAGE RESERVE	Mulgrave Road	EARLVILLE	49341	38RP717516
MESTREZ ST DRAINAGE RESERVE	36 McEwen Street	MOOROPOOL	52122	4RP900791
MESTREZ ST DRAINAGE RESERVE	Frances Street	EARLVILLE	50373	422NR4484

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
MESTREZ ST DRAINAGE RESERVE	O'Hara Street	EARLVILLE	49339	1RP710784
MESTREZ ST DRAINAGE RESERVE	McEwen Street	EARLVILLE	104783	17RP804017
MESTREZ ST DRAINAGE RESERVE	McEwen Street	MOOROOBOOL	52144	1RP732194
MESTREZ STREET DRAINAGE RESERVE	Mestrez Street	MOOROOBOOL	104782	1RP804017
MICHAELANGELO DR DRAINAGE RESERVE	Acmena Close	REDLYNCH	109704	901SP153370
MICHAELANGELO DR DRAINAGE RESERVE	Jungara Road	REDLYNCH	109705	902SP153370
MINERVA AV DRAINAGE RESERVE	Minerva Avenue	MOOROOBOOL	59666	220RP737225
MOLLER ST DRAINAGE RESERVE	Bryce Close	GORDONVALE	74358	6G47852
MOODY CK DRAINAGE RESERVE	Moignard Street	MANOORA	63252	2RP911716
MOODY CK DRAINAGE RESERVE	Moignard Street	MANOORA	118442	219SP167731
MORWONG ST DRAINAGE RESERVE	Ramsey Drive	KANIMBLA	116403	812SP173540
MULGRAVE ROAD DRAINAGE RESERVE	Mulgrave Road	BUNGALOW	48921	722NR5683
MURCHISON PARK DRAINAGE RESERVE	McManus Street	WHITFIELD	99222	150RP717692

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
MURCHISON PARK DRAINAGE RESERVE	Bolton Street	WHITFIELD	99220	144RP717692
NINDII CL DRAINAGE RESERVE	Nindii Close	EDMONTON	116796	999SP167720
NINDII CL DRAINAGE RESERVE	Slipper Street	EDMONTON	156737	900SP247317
NORWOOD CR DRAINAGE RESERVE	Reed Road	TRINITY PARK	128986	908SP197999
NOVA ST DRAINAGE RESERVE	Poolwood Road	KEWARRA BEACH	89209	35RP886869
NOVA ST DRAINAGE RESERVE	Nova Street	KEWARRA BEACH	110574	900SP158377
NOVA ST DRAINAGE RESERVE	Periwinkle Avenue	KEWARRA BEACH	81582	35RP867058
OAKBLUE DR DRAINAGE RESERVE	Bambusa Terrace	MOUNT SHERIDAN	115025	2005SP173003
O'BRIEN RD DRAINAGE RESERVE	Chystanthus Street	TRINITY PARK	121301	900SP186226
OLEANDER PARK DRAINAGE RESERVE	Hickory Street	HOLLOWAYS BEACH	88354	18RP740343
O'MEARA ST DRAINAGE RESERVE	Carruthers Street	EDMONTON	106949	998SP133373
OSBORN CR DRAINAGE RESERVE	Walker Road	EDMONTON	98482	989RP893036
OSBORN CR DRAINAGE RESERVE	Walker Road	EDMONTON	98685	994RP886987

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
OWEN CL DRAINAGE RESERVE	Plath Close	PORTSMITH	50826	17SP116186
PALMETTO ST DRAINAGE RESERVE	Savannah Street	PALM COVE	117885	991SP173562
PALMETTO ST DRAINAGE RESERVE	Michella Street	PALM COVE	124031	997SP178693
PANGUNA ST DRAINAGE RESERVE	McGregor Road	SMITHFIELD	145370	991SP201274
PANORAMIC VIEWS DRAINAGE RESERVE	Kamerunga Road	REDLYNCH	114282	800SP165849
PANORAMIC VIEWS DRAINAGE RESERVE	Kamerunga Road	REDLYNCH	111265	801SP153903
PASCOE CL DRAINAGE RESERVE	Madigans Drive	MOUNT SHERIDAN	112924	2002SP16705 3
PASCOE CL DRAINAGE RESERVE	Pascoe Close	MOUNT SHERIDAN	112924	2004SP16707 2
PEETS BRIDGE DRAINAGE RESERVE	Downing Road	GOLDSBOROUGH	75722	2RP726595
PERCH ST DRAINAGE RESERVE	Perch Street	KANIMBLA	131090	900SP201255
PEZZUTTI PARK DRAINAGE RESERVE	Lola Close	WOREE	62393	636NR6622
PHOENIX ST DRAINAGE RESERVE	Disney Street	WHITE ROCK	131130	994SP207019
PHOENIX ST DRAINAGE RESERVE	Disney Street	WHITE ROCK	66521	1RP748678

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
PHOENIX ST DRAINAGE RESERVE	Kambara Street	WHITE ROCK	66509	1RP748112
PHOENIX ST DRAINAGE RESERVE	Disney Street	WHITE ROCK	131129	993SP207019
PICCONE DR EAST DRAINAGE RESERVE	Piccone Drive	EDMONTON	120545	505SP182884
PICCONE DR EAST DRAINAGE RESERVE	Wiseman Road West	EDMONTON	148118	505SP215412
PICCONE DR EAST DRAINAGE RESERVE	Piccone Drive	EDMONTON	112459	504SP166319
PICCONE DR WEST DRAINAGE RESERVE	Wiseman Road West	EDMONTON	99920	503SP100516
PLANTATION RD DRAINAGE RESERVE	Plantation Road	EDMONTON	71866	56RP733636
PONZO STREET DRAINAGE RESERVE	Ponzo Street	WOREE	148371	901SP216457
PONZO STREET DRAINAGE RESERVE	Spoto Street	WOREE	148370	900SP216457
POOLWOOD DRAINAGE RESERVE	Natica Close	TRINITY BEACH	81605	7NR835489
PORT CLOSE DRAINAGE RESERVE	Port Close	TRINITY BEACH	132466	900SP212575
PROMENADE PARK DRAINAGE RESERVE	Reed Road	TRINITY PARK	147477	911SP213768
PROPELLER CT DRAINAGE RESERVE	Roberts Drive	TRINITY BEACH	126043	900SP196222

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
RAGNAR ST DRAINAGE RESERVE	Briese Close	EDMONTON	110007	23SP134308
RAGNAR ST DRAINAGE RESERVE	Struber Street	EDMONTON	71334	5RP748448
RAGNAR ST DRAINAGE RESERVE	Mt Peter Road	EDMONTON	71333	6RP739359
RAGNAR ST DRAINAGE RESERVE	Luisa Street	EDMONTON	71775	2RP732555
RAINBOW ST DRAINAGE RESERVE	Fraser Close	KANIMBLA	88364	200NR7823
RAINBOW ST DRAINAGE RESERVE	Teraglin Street	KANIMBLA	128415	821SP192151
RAINFOREST RISE DRAINAGE RESERVE	Dan Jones Street	BENTLEY PARK	109235	998SP147753
RAINFOREST RISE DRAINAGE RESERVE	Dan Jones Street	BENTLEY PARK	112528	999SP161406
RAINY MOUNTAIN DRAINAGE RESERVE	Survey Street	SMITHFIELD	90749	195SP109016
RAMSEY DR DRAINAGE RESERVE	Fitzallan Close	KANIMBLA	88443	201RP744585
RAMSEY DR DRAINAGE RESERVE	Ramsey Drive	KANIMBLA	109072	811SP146132
RAMSEY PARK DRAINAGE RESERVE	McFarlane Drive	KANIMBLA	86812	2NR7586
RAVIZZA DR DRAINAGE RESERVE	Ravizza Drive	EDMONTON	70367	501RP747582

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
REDLYNCH EQUESTRIAN PK DRAINAGE RESERVE	Redlynch Intake Road	REDLYNCH	96979	989RP887092
REDLYNCH VILLAGE GREEN DRAINAGE RESERVE	Kamerunga Road	REDLYNCH	92504	301NR7896
REDPEAK DRAINAGE RESERVE	Fig Tree Drive	CARAVONICA	406995	901SP127327
REGENT AV DRAINAGE RESERVE	Regent Avenue	REDLYNCH	417402	996SP173004
REGENT AV DRAINAGE RESERVE	Regent Avenue	REDLYNCH	414245	997SP167084
RENDEL CL DRAINAGE RESERVE	Marsden Street	MOUNT SHERIDAN	97504	997RP892235
RESOLUTION DR DRAINAGE RESERVE	Resolution Drive	BENTLEY PARK	70200	999RP843510
RICHMOND CT DRAINAGE RESERVE	Richmond Court	MOOROOBOOL	59052	226RP857533
RIGG ST DRAINAGE RESERVE	Arrunga Close	WOREE	62446	1RP737214
RIGG ST DRAINAGE RESERVE	Windarra Street	WOREE	62060	1RP730763
ROBERT RD DRAINAGE RESERVE	Robert Road	BENTLEY PARK	68858	977RP850113
ROBERT RD DRAINAGE RESERVE	Edmonds Close	BENTLEY PARK	68864	974RP851519
ROBSON ST DRAINAGE RESERVE	Irene Street	KANIMBLA	89427	900RP843606

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
ROBSON ST DRAINAGE RESERVE	Robson Street	KANIMBLA	60251	788SP101074
ROBSON ST DRAINAGE RESERVE	Robson Street	MOOROOLBOOL	58813	1CP851472
ROBSON ST DRAINAGE RESERVE	Lake Morris Road	KANIMBLA	60303	790SP101082
ROBSON ST DRAINAGE RESERVE	Grimes Close	KANIMBLA	59867	903RP883765
RODERICK ST DRAINAGE RESERVE	Timberlea Drive East	BENTLEY PARK	129864	33SP204568
ROEBUCK CL DRAINAGE RESERVE	Robert Road	BENTLEY PARK	69265	10RP748195
ROEBUCK CL DRAINAGE RESERVE	Robert Road	BENTLEY PARK	69266	996RP749323
ROMA CL DRAINAGE RESERVE	Roma Close	MOUNT SHERIDAN	98356	992RP905263
ROSS ALLEN DRAINAGE RESERVE	Fry Close	WHITFIELD	101163	645NR6932
SADDLE MOUNTAIN DRAINAGE RESERVE	Toolong Close	SMITHFIELD	90232	994RP865124
SADDLE MOUNTAIN DRAINAGE RESERVE	-Strombus Avenue	TRINITY BEACH	82905	149RP741274
SADDLE MOUNTAIN DRAINAGE RESERVE	-Strombus Avenue	TRINITY BEACH	82906	150RP741275
SADDLE MOUNTAIN DRAINAGE RESERVE	Toolong Close	SMITHFIELD	97355	988RP867089

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
SADDLE MOUNTAIN DRAINAGE RESERVE	Toolong Close	SMITHFIELD	97355	988RP867089
SADDLE MOUNTAIN DRAINAGE RESERVE	Carbine Close	SMITHFIELD	90308	989RP867088
SADDLE MOUNTAIN DRAINAGE RESERVE	Carbine Close	SMITHFIELD	90308	989RP867088
SADDLE MOUNTAIN DRAINAGE RESERVE	Lamb Street	SMITHFIELD	90233	993RP865124
SADDLE MOUNTAIN DRAINAGE RESERVE	Lamb Street	SMITHFIELD	90233	993RP865124
SADDLE MOUNTAIN PK DRAINAGE RESERVE	Toolong Close	SMITHFIELD	98439	986RP867090
SALLI & JOHN MITCHELL PARK DRAINAGE RESERVE	Jungara Road	REDLYNCH	111126	903SP158832
SALLI & JOHN MITCHELL PK DRAINAGE RESERVE	Satinash Close	REDLYNCH	293439	5RP893105
SALTWATER CK DRAINAGE RESERVE	Airport Avenue	CAIRNS NORTH	55948	23RP728582
SASCHA CL DRAINAGE RESERVE	Demidenko Close	REDLYNCH	149824	996SP222304
SASSAFRAS ST DRAINAGE RESERVE	Sassafras Street	BRAMSTON BEACH	77531	2B8779
SASSAFRAS ST DRAINAGE RESERVE	Sassafras Street	BRAMSTON BEACH	77532	41B8779
SAVANNAH ST DRAINAGE RESERVE	Savannah Street	PALM COVE	111472	994SP161408

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
SAWPIT _____ GULLY DRAINAGE RESERVE	Melia Close	MOUNT SHERIDAN	98677	990RP905276
SCOTIA CL DRAINAGE RESERVE	Scotia Close	MOUNT SHERIDAN	67631	999RP851506
SELWYN _____ CIRCUIT DRAINAGE RESERVE	Kimberley Street	TRINITY PARK	127059	903SP197996
SENATE ST DRAINAGE RESERVE	Herald Street	BENTLEY PARK	98896	64RP825776
SHAWS RD DRAINAGE RESERVE	Harvey Road	REDLYNCH	130214	999SP196225
SHEEHY RD DRAINAGE RESERVE	Sheehy Road	WHITE ROCK	129467	995SP201285
SHEEHY RD DRAINAGE RESERVE	Sheehy Road	WHITE ROCK	106217	27SP109010
SHERWOOD _____ CL DRAINAGE RESERVE	Wills Street	BRINSMEAD	95545	894RP899534
SHERWOOD _____ CL DRAINAGE RESERVE	Loridan Drive	BRINSMEAD	95541	310RP896919
SPENCE _____ STREET DRAINAGE RESERVE	McCoombe Street	BUNGALOW	49854	23C198396
SPENCE _____ STREET DRAINAGE RESERVE	McCoombe Street	BUNGALOW	49857	20C198396
SPENCE _____ STREET DRAINAGE RESERVE	McCoombe Street	BUNGALOW	49853	22C198265
SPERRING ST DRAINAGE RESERVE	McCormack Street	MANUNDA	46484	751NR5222

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
SPERRING ST DRAINAGE RESERVE	Hoare Street	MANUNDA	46487	23RP737016
SPERRING ST DRAINAGE RESERVE	McCormack Street	MANUNDA	46485	21RP737016
SPERRING ST DRAINAGE RESERVE	Hoare Street	MANUNDA	46486	22RP737016
STARBOARD ST DRAINAGE RESERVE	Roberts Drive	TRINITY BEACH	131411	901SP201309
STARBOARD ST DRAINAGE RESERVE	Moresby Street	TRINITY BEACH	131410	900SP201309
STIRLING ST DRAINAGE RESERVE	Upper Richardson Street	WHITFIELD	401086	58RP731273
STONEY CREEK DRAINAGE RESERVE	Red Bluff Crescent	KAMERUNGA	91475	26RP804196
STONEY CREEK DRAINAGE RESERVE	Stoney Creek Road	BARRON GORGE	91437	777NR7576
STONEY CREEK DRAINAGE RESERVE	Stoney Creek Road	KAMERUNGA	91475	10RP804192
STONEY CREEK DRAINAGE RESERVE	Stoney Creek Road	KAMERUNGA	91474	32RP804194
STRATFORD PARADE DRAINAGE RESERVE	Stratford Parade	STRATFORD	113047	999SP161398
STROMBUS AV DRAINAGE RESERVE	Natica Close	TRINITY BEACH	119655	900SP173569
STROMBUS AV DRAINAGE RESERVE	Natica Close	TRINITY BEACH	83360	151NR7297

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
SUGARMILL ST DRAINAGE RESERVE	Lacewing Drive	MOUNT SHERIDAN	150115	2012SP22468 2
SUNBIRD DR PARK DRAINAGE RESERVE	Quail Close	WOREE	132678	997SP212562
SUNBIRD DRIVE DRAINAGE RESERVE	Matisia Close	WOREE	150805	998SP227630
SUNBIRD PARK DRAINAGE RESERVE	Periwinkle Avenue	KEWARRA BEACH	81581	26RP740559
SUNBIRD PK DRAINAGE RESERVE	Periwinkle Avenue	KEWARRA BEACH	81579	218NR7067
SUPPLY RD DRAINAGE RESERVE	Supply Road	BENTLEY PARK	69392	991RP800902
SURVEY ST DRAINAGE RESERVE	Survey Street	SMITHFIELD	90808	1RP738481
SURVEY ST DRAINAGE RESERVE	Furrow Close	SMITHFIELD	113878	900SP167728
SWALLOW PARK DRAINAGE RESERVE	McCoombe Street	MOOROBOOL	60749	5NR7933
SWAN ST DRAINAGE RESERVE	Swan Street	GORDONVALE	74137	54G47851
SWAN ST DRAINAGE RESERVE	Swan Street	GORDONVALE	74138	24G47853
SYDNEY ST DRAINAGE RESERVE	Comet Street	BAYVIEW HEIGHTS	64389	317RP731271
SYDNEY ST DRAINAGE RESERVE	Sydney Street	BAYVIEW HEIGHTS	63639	318RP731282

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
TARCOOLA ST DRAINAGE RESERVE	Hardy Road	MOUNT SHERIDAN	67389	74RP880979
TARWHINE CLOSE DRAINAGE RESERVE	McFarlane Drive	KANIMBLA	156452	830SP247309
TEMPLAR CR DRAINAGE RESERVE	Templar Crescent	BENTLEY PARK	69209	994RP886978
TEMPLAR CR DRAINAGE RESERVE	Edmonds Close	BENTLEY PARK	69208	972RP817969
TEMPLETON ST DRAINAGE RESERVE	Louis Close	GORDONVALE	74359	26G47853
TEMPLETON ST DRAINAGE RESERVE	Joy Close	GORDONVALE	74460	25G47853
THOMAS THOMPSON DRAINAGE RESERVE	REDLYNCH	121085	993SP180029	
TIFFANY ST PARK DRAINAGE RESERVE	Dillon Close	WHITE ROCK	66468	77RP748457
TIMBERLEA DRAINAGE RESERVE	999L Timberlea Drive	BENTLEY PARK	71193	999RP817957
TIMBERLEA DRAINAGE RESERVE	75 Timberlea Drive	BENTLEY PARK	69087	999SP105732
TORRANCE AV DRAINAGE RESERVE	99 MacNamara Street	MANUNDA	101673	567NR6086
TRADEWINDS CL DRAINAGE RESERVE	15-21 Regent Avenue	REDLYNCH	107530	999SP133784
TRAFALGAR RD DRAINAGE RESERVE	1 Keats Close	MOUNT SHERIDAN	67298	999RP817962

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
TREETOP DR/ LINEAR PARK DRAINAGE RESERVE	Melia Close	MOUNT SHERIDAN	99137	982RP910512
TREETOP DR/ LINEAR PARK DRAINAGE RESERVE	Melia Close	MOUNT SHERIDAN	99137	982RP910512
UPOLO DRAINAGE RESERVE	Triton Close	PALM COVE	128902	999SP201296
UPPER RICHARDSON ST DRAINAGE RES	Keller Close	WHITFIELD	92810	1RP739192
VANDELEUR ST DRAINAGE RESERVE	Granadilla Drive	EARLVILLE	60349	746NR6579
VANDELEUR ST DRAINAGE RESERVE	Vandeleur Street	EARLVILLE	60107	11RP894872
VANDELEUR ST DRAINAGE RESERVE	Vandeleur Street	EARLVILLE	77300	58RP905126
VANDELEUR ST DRAINAGE RESERVE	Vandeleur Street	EARLVILLE	60106	13RP894872
VANDELEUR ST DRAINAGE RESERVE	Vandeleur Street	EARLVILLE	60104	12RP894872
VERBENA SOUTH DRAINAGE RESERVE	Hardy Road	MOUNT SHERIDAN	66810	800RP885835
WALKER RD DRAINAGE RESERVE	Walker Road	BENTLEY PARK	71181	2RP835455
WARNER ROAD DRAINAGE RESERVE	Redbank Road	PACKERS CAMP	72282	106NR4661

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
WATERFALL PARK DRAINAGE RESERVE	Henrietta Place	MOOROOBOOL	89746	989RP750074
WATERFALL PARK DRAINAGE RESERVE	City View Crescent	MOOROOBOOL	90512	993RP750074
WEWAK ST DRAINAGE RESERVE	Moresby Street	TRINITY BEACH	82857	66SP101283
WHARF ST DRAINAGE RESERVE	Wharf Street	CAIRNS CITY	53390	4SP199207
WILSHIRE DR DRAINAGE RESERVE	Wiltshire Drive	GORDONVALE	122636	999SP184864
WISEMAN RD DRAINAGE RESERVE	Canecutter Road	EDMONTON	70836	45NR7872
WISKAR CL DRAINAGE RESERVE	Fletcher Court	BENTLEY PARK	97342	997RP886994
WONGA PARK DRAINAGE RESERVE	Peever Road	BABINDA	149912	215SP224290
WOODLANDS AV DRAINAGE RESERVE	Bellevue Crescent	EDGE HILL	102655	2RP740577
WOODROSE DR DRAINAGE RESERVE	Woodrose Drive	MOUNT SHERIDAN	115027	2007SP173003
WOODROSE DR DRAINAGE RESERVE	Woodrose Drive	MOUNT SHERIDAN	115423	2008SP173010
WOODWARD PARK DRAINAGE RESERVE	Jensen Street	MANOORA	65979	1RP725844
XAVIER HERBERT DRAINAGE RESERVE	McBride Street	REDLYNCH	149078	997SP218276

Drainage Reserve Name	Address	Suburb	Parcel	Lot & Plan
YANGOORA ST DRAINAGE RESERVE	Kowinka Street	WHITE ROCK	65592	106RP731114
YANGOORA ST DRAINAGE RESERVE	Bruce Highway	WHITE ROCK	65591	119RP726704
YARA ST DRAINAGE RESERVE	Karwin Street	BAYVIEW HEIGHTS	64055	353RP728575
YARA ST DRAINAGE RESERVE	Karwin Street	BAYVIEW HEIGHTS	63822	351RP728472
YARA ST DRAINAGE RESERVE	Barnes Street	BAYVIEW HEIGHTS	63823	352RP729274
YARA ST DRAINAGE RESERVE	Karwin Street	BAYVIEW HEIGHTS	63727	349RP726695
YARA ST DRAINAGE RESERVE	Karwin Street	BAYVIEW HEIGHTS	63821	350RP729273
YULE AV DRAINAGE RESERVE	Yule Avenue	CLIFTON BEACH	89168	112RP883771
YULE AV DRAINAGE RESERVE	Hse Close	CLIFTON BEACH	81033	201RP851404
YULE AV DRAINAGE RESERVE	Hse Close	CLIFTON BEACH	81111	3RP861088
YULE AV DRAINAGE RESERVE	Hse Close	CLIFTON BEACH	89169	113RP883771
YULE AV DRAINAGE RESERVE	Hse Close	CLIFTON BEACH	81109	2RP861088
ZANZOO CL DRAINAGE RESERVE	Zanzoo Close	REDLYNCH	93703	16RP744005

(13)

Fores

hore reserves and bathing reserves in the local government area

- (a) The areas declared in Bathing Reserve, Ellis Beach in the *Queensland Government Gazette*, No. 12 on 27 January 1973;
- (b) Foreshore reserve for the foreshores of Trinity Bay from Buchan Point to the mouth of the Barron River proclaimed in the *Queensland Government Gazette*, No. 4 on 1 July 1950;
- (c) Foreshore reserve for the foreshores of the South Pacific Ocean from Simpson Point generally southerly and south-easterly to Buchan Point proclaimed in the *Queensland Government Gazette* 1968.3.928;
- (d) Foreshore reserve for the foreshores of the Shire of Mulgrave with the exception of those of the Yarrabah Reserve (now Deed of Grant in Trust) area as proclaimed and described in the *Queensland Government Gazette* 1984.1.950;
- (e) The Esplanade Lagoon bathing reserve contained within the Park and Recreation reserve for ~~Lot 1134 on SP132560 and~~ Lot 17 SP155099, which is under the trusteeship of the local government;
- (f) The areas declared to be bathing reserves for the then Shire of Mulgrave in the *Queensland Government Gazette* 1988.3.1064.

(4) Cemeteries in the local government area

Cemetery Name	Address	Suburb	Parcel	Title
Babinda Cemetery Reserves	Bruce Highway	BABINDA	76658	Lot 231 on NR1159
			76652	Lot 10 on RP835555
Cairns Pioneer Cemetery Reserve	127-145 McLeod Street	CAIRNS NORTH	52960	Lot 813 on C1987
Forest Gardens Cemetery Reserve	65-77 Foster Road,	MOUNT SHERIDAN	66939	Lot 2 on RP742902
			157909	Lot 400 on SP265181
Gordonvale Cemetery Reserve	27-51 Highleigh Road	GORDONVALE	73532	Lot 225 on NR838281
Martyn Street Cemetery Reserve	2-40 Anderson Street	MANUNDA	104464	Lot 279 on NR7521 Lot 115 on NR 800836

(5) Libraries in the local government area

Library Name	Address	Suburb	Parcel	Title
Babinda Library	22-24 Munro Street	BABINDA	76897	Lot 104 on NR7472
City Library	151-161 Abbott Street	CAIRNS CITY	54250	Lot 701 on PLN1981
Earlville Library	Stockland Shopping Centre 483-541 Mulgrave Road	EARLVILLE	50621	Lot 2 on RP746717
Edmonton Library	175 Bruce Highway	EDMONTON	68180	Lot 183 on NR8030
Gordonvale Library	88 Norman Street	GORDONVALE	73828	Lot 4 on PLN: 47827
Manunda Library	33-63 Alfred Street	MANUNDA	46666	Lot 4 on RP746531
Smithfield Library	60-80 Cheviot Street	SMITHFIELD	85299	Lot 2 on RP867128
Stratford Library	11-13 Kamerunga Road	STRATFORD	93788	Lot 4 on PLN198247

(26) Roads in the local government area

- (a) All local government controlled roads.
- (b) All State controlled roads where the State government has invested power in the local government to control State controlled roads.
- (c) Any other road that becomes a local government controlled road from time to time.

(7) ~~Camping Grounds and areas for camping in the local government area~~

Camping Ground Name	Address	Suburb	Parcel	Title
Palm Cove	149-153 Williams Esplanade	PALM COVE	146858	242SP202695
Bramston Beach	96 Evans Road	BRAMSTON BEACH	112998	300SP165890
The Boulders Camping Ground	Boulders Road	BABINDA	78449	1RP746361
Babinda Rotary Park Babinda Creek	Howard Kennedy Park	BABINDA	76622 76632 76634 76635 76633	236NR6626 11RP710062 12RP710062 13RP710062 14RP710062
Cairns Holiday Park	12-30 Little Street	MANUNDA	103690	408NR3097
Fitzroy Island Campground		FITZROY ISLAND	72061	185NR6946
Lake Morris Campground	Lake Morris Road	LAMB RANGE	93492	Part of 50 NR6547 as identified by public information advertisement
Local government camping areas identified by public information advertisement				

~~(8) Caravan parks in the local government area~~

Caravan Park Name	Address	Suburb	Parcel	Title
Palm Cove	149-153 Williams Esplanade	PALM COVE	146858	242SP202695
Bramston Beach	96 Evans Road	BRAMSTON BEACH	112998	300SP165890
Cairns Holiday Park	12-30 Little Street	MANUNDA	103690	408NR3097

(9) Sports Fields in the local government area

Sports Fields	Address	Suburb	Parcel	Title
ALLEY PARK	Sheppards St	GORDONVALE	73876 73868 73872	Lot 609 NR 4956 Lot 86 NR 5022 Lot 611 NR 4956
BARLOW PARK	251—269 Severin St	PARRAMATTA PARK	51157	Lot 768 NR 6238
BILL—WAKEHAM PARK	17 King St	BABINDA	156490	Lot 132 SP 246991
BRINSMEAD PARK RESERVE	Brinsmead Rd	BRINSMEAD	95289	Lot 504 NR 7234
BUCHAN ST FIELD	53—75 Buchan St	PORTSMITH	233858	Lot 2 SP 252410
GALANNA PARK	36—48 Angela St	WOREE	61764	Lot 157 RP 727223
CENTENARY PARK (TRINITY BEACH SPORTING PRECINCT)	Trinity Beach Rd	TRINITY BEACH	84523	Lot 2 RP 902180
FRETWELL PARK	57—79 Robert Rd	BENTLEY PARK	69979	Lot 994 RP 750086
FULLER PARK	Wolff St	EDMONTON	393710	Lot 1 RP 722073
JOHNSON PARK	68—108 Campbell St	GORDONVALE	73566	Lot 232 NR 6508
MAGAZINE RESERVE	36—44 Magazine St	STRATFORD	93748	Lot 267 NR 6139
MANUNDA SPORTING RESERVE (inc ENDEAVOUR PARK)	28-52 Cannon St 66 Behan St 77—89 MacNamara St	MANUNDA	103829 103832 103833 103834 103835 103814 152091 103830	Lots 21-26 C 19842 Lot 1 C 198410 Lot 4 SP 227602

Sports Fields	Address	Suburb	Parcel	Title
MARLIN — COAST SPORTS RESERVE (SMITHFIELD SPORTING PRECINCT)	80 Cheviot St	SMITHFIELD	85299	Lot 2 RP 867128
MARTYN — STREET SPORTS PARK	Martyn Street	MANUNDA	105013	Lot 369 NR 3097
PETERSEN PARK	124 — 144 Farmer St	EDMONTON	97424 127318	Lot 2001 RP 887001 Lot 1 RP 893039
PEZZUTI PARK	61 — 97 Windara St	WOREE	62389 62393 62387	Lot 636 NR 6622 Lot 1 RP 737188
SYD — GRANVILLE MEMORIAL PARK	84 — 100 Wistaria St 85 — 93 Oleander St	HOLLOWAYS BEACH	87538 88193	Lot 1 RP 733480 Lot 191 NR 6528
TOBRUK MEMORIAL GARDENS	358 — 370 Sheridan St	NORTH CAIRNS	156443 156444	Lot 317 SP 244364
TOUCH PARK	19 — 25 Quarry St	AEROGLEN	57286	Lot 496 C198327
VICO OVAL	170 — 184 Irene St	MOOROOLBOOL	156220	Lot 1 SP 244622
WALKER — ROAD SPORTING FACILITIES	10 — 20 Walker Rd	EDMONTON	148992	Lot 304 SP 213786

(10) Public swimming pools in the local government area

Swimming Pool	Address	Suburb	Parcel	Title
Marlin Coast Pool, Smithfield	Leisure Park Rd,	Smithfield	157707	Lot 2 RP867128
Tobruk Memorial Pool	370 Sheridan Street	Cairns North	156444	Lot 317 SP244364
Woree Pool	1 Pool Close	Woree	62789	Lot 1 RP746469
Gordonvale Pool	79 Sheppard Street	Gordonvale	156171	Lot 611 CP NR4956
Babinda Pool	28-32 Church Street	Babinda	156172	Lot 9 SP235254
Sugarworld Water Park	Hambledon Drive	Edmonton	106877 & 106876	Lot 504 RP886995 & Lot 503 RP886994

(311) Other areas controlled by the local government

Any other area that becomes a local government controlled area from time to time.

Schedule 2 - Prohibited activities for local government controlled areas or roads

Section 6 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
<p><u>All local government controlled areas and roads</u></p>	<p>(1) <u>Damage, remove or interfere with any animal, vegetation, soil product or material;</u></p> <p>(2) <u>Damage, defile, interfere with or destroy any local government building, sign, infrastructure, structure or equipment;</u></p> <p>(3) <u>Touting;</u></p> <p>(4) <u>Exercise rights of occupation or use;</u></p> <p>(5) <u>Engage in unlawful business, trade or occupation;</u></p> <p>(6) <u>Display a vehicle for sale;</u></p> <p>(7) <u>Camping outside of areas designated for camping by the local government by a public information advertisement;</u></p> <p>(8) <u>Carrying out domestic tasks, including ablutions, cooking and washing except on infrastructure provided by the local government for that purpose;</u></p> <p>(9) <u>Remove, damage or interfere with fencing, gates, chains, locks or any other measure of access control and security;</u></p> <p>(10) <u>Use a motor vehicle except where indicated by a public information advertisement, or specifically permitted under a permit issued under a local law;</u></p> <p>(11) <u>Play music or musical instruments at such a volume or in such a manner, in the opinion of an authorised person, as to interfere with any persons enjoyment of the local government controlled area or road;</u></p> <p>(12) <u>Deposit or leave any refuse or rubbish other than in a way intended by the provision of infrastructure;</u></p> <p>(13) <u>Shoot or hunt;</u></p> <p>(14) <u>Damage, destroy or remove any tree, shrub or plant;</u></p> <p>(15) <u>Playing golf or practicing for playing golf;</u></p> <p>(16) <u>Use a mountain bike on any walking track specified by the local government through public information</u></p>

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
	<p><u>advertisement;</u></p> <p><u>(17) Feeding wildlife, except as part of an activity carried out by a wildlife rescue organisation; or</u></p> <p><u>(18) Dig up, disturb or remove any soil, clay, gravel, sand, stone or mineral.</u></p>
<p><u>Lake Morris</u></p>	<p><u>(1) Swimming;</u></p> <p><u>(2) Fishing, unless authorised by the local government through a public place activity or commercial use activity permit; or</u></p> <p><u>(3) Throw or place stones, vegetation or other objects into any watercourse.</u></p>
<p><u>Cairns Esplanade Reserve</u></p>	<p><u>(1) The use of paths and facilities other than for the purpose intended; or</u></p> <p><u>(2) Fishing.</u></p>
<p><u>Cairns Esplanade Lagoon</u></p> <p><u>Public swimming pools</u></p>	<p><u>(1) Interfering with any life-saving equipment or behaving in a manner which disrupts the provision of life saving services;</u></p> <p><u>(2) Fishing;</u></p> <p><u>(3) Fouling or polluting;</u></p> <p><u>(4) Bringing in dangerous aquatic equipment or things;</u></p> <p><u>(5) Using aquatic equipment that causes a risk to the safety of others;</u></p> <p><u>(6) Swimming when there is no life guard on duty;</u></p> <p><u>(7) Disobeying lawful direction to leave the area; or</u></p> <p><u>(8) Bring or use any glass container.</u></p>
<p><u>Foreshore reserves</u></p> <p><u>Bathing reserves</u></p>	<p><u>(1) Remove sand; or</u></p> <p><u>(2) Carry out any act that may damage, displace or pollute any part of the foreshore, including anything constructed or provided on the foreshore or bathing reserve, that may cause damage or loss to the local government.</u></p>
<p><u>All jetties and boat ramps in the local government area</u></p>	<p><u>(1) Use of boat ramps for a purpose other than launching or retrieving a vessel;</u></p>

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
	<p>(2) <u>Place, anchor or moor a vessel in the approach fairway or so as to obstruct or impede the approach of a vessel to a jetty, barge loading ramp or boat ramp;</u></p> <p>(3) <u>Not comply with the requirements of any official sign erected by local government at or on any jetty, barge loading ramp or boat ramp;</u></p> <p>(4) <u>Charging for the use of any jetty, barge loading ramp or boat ramp;</u></p> <p>(5) <u>Apply a vertical load to the jetty in excess of the maximum specified on an official sign;</u></p> <p>(6) <u>Obstruct or impede, in the opinion of an authorised person, the use of a jetty, barge loading ramp or boat ramp by another person or vehicle;</u></p> <p>(7) <u>Drive, park or stand any vehicle except for the purpose of conveying goods along the jetty, boat ramp or barge loading ramp;</u></p> <p>(8) <u>Carry out maintenance or repairs to a vessel or a vehicle on a boat ramp, barge loading ramp or in the approach fairway to a boat ramp unless it is an emergency;</u></p> <p>(9) <u>Enter a jetty, barge loading ramp or boat ramp when it is closed;</u></p> <p>(10) <u>Interfere with any fitting or appliance on any jetty, barge loading ramp or boat ramp for any purpose other than that for which such appliance is provided;</u></p> <p>(11) <u>Extinguish, diminish or increase any light illuminating from a jetty, barge loading ramp or boat ramp;</u></p> <p>(12) <u>Damage, deface, or interfere with any jetty, barge loading ramp or boat ramp or any notice relating thereto;</u></p> <p>(13) <u>Ride any animal onto a jetty, barge loading ramp or boat ramp;</u></p> <p>(14) <u>Fish from a jetty, barge loading ramp or boat ramp in a manner that, in the opinion of an authorised person, impedes or obstructs vessel, vehicular or pedestrian traffic on the jetty, barge loading ramp or boat ramp;</u></p> <p>(15) <u>Place anything other than a moored or fastened vessel alongside or near a jetty, barge loading ramp</u></p>

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
	<p style="text-align: center;"><u>or boat ramp which may obstruct or interfere with the access to and proper berthing of vessels;</u></p> <p><u>(16) Solicit or canvas boat tickets, goods, foodstuffs, chattels, or any other thing;</u></p> <p><u>(17) Erect or maintain a sign, notice board or other fixtures for the purposes of exhibition of bills or notices;</u></p> <p><u>(18) Erect or maintain a bill or a notice;</u></p> <p><u>(19) Dispose of fish or marine life remains in a non-designated receptacle;</u></p> <p><u>(20) Moor or fasten a vessel to any part of a jetty, barge loading ramp or boat ramp except from a bollard or other fastening appliance provided for that purpose;</u></p> <p><u>(21) Moor or fasten a vessel to steps or a landing place for cargo or passengers that in the opinion of an authorised person impedes the use by a person or obstructs other vessels;</u></p> <p><u>(22) Permit a vessel to lie alongside a jetty not properly moored or fastened in the opinion of an authorised person;</u></p> <p><u>(23) Moor or fasten a vessel for any other purposes than for embarking or disembarking passengers or crew or loading or unloading cargo, stores or goods; or</u></p> <p><u>(24) Use, employ or permit any vessel for delivery of fuel to vessels on the jetty unless approved under other legislation or permits.</u></p>
<p><u>Caravan parks</u></p>	<p><u>(1) Reside or carry out domestic tasks in a caravan that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</u></p> <p><u>(2) Display or exhibit advertising matter;</u></p> <p><u>(3) Park a caravan or erect a tent in a place that is not allotted by caravan park manager;</u></p> <p><u>(4) Let or hire a caravan, cabin or tent to another person without written local government approval;</u></p> <p><u>(5) Take or bring an animal unless otherwise signed by a public information advertisement;</u></p> <p><u>(6) Use hand washing facilities for purposes other than their intended use;</u></p>

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
	<p><u>(7) Lay down floor covering on the ground surface;</u></p> <p><u>(8) Dig a hole or trench; or</u></p> <p><u>(9) Stay for a period longer than 12 weeks.</u></p>
<p><u>Cemeteries</u></p>	<p><u>(1) Depasture any animal;</u></p> <p><u>(2) Sell or buy an article or a thing;</u></p> <p><u>(3) Distribute or put up any handbill, card, circular or advertisement;</u></p> <p><u>(4) Take part in any meeting other than of a religious or commemorative nature;</u></p> <p><u>(5) Disturb or interfere with a funeral service;</u></p> <p><u>(6) Discharge a firearm except at a military funeral or other recognised type of funeral service ordinarily involving such discharge;</u></p> <p><u>(7) Damage or interfere with any grave, vault or memorial; or</u></p> <p><u>(8) Drive any vehicle otherwise than upon a designated roadway.</u></p>

<p style="text-align: center;"><u>Column 1</u> <u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u> <u>Prohibited activity</u></p>
<p><u>Libraries</u></p>	<p>(1) <u>Disobey a direction to leave a library by an authorised person;</u> (2) <u>Wilfully damage, interfere with or misuse a library resource;</u> (3) <u>Remove a library resource from library premises unless on the terms and conditions of the library; or</u> (4) <u>Behave in an abusive or offensive manner or harass other persons using the library.</u></p>
<p><u>All public conveniences in the local government area</u></p>	<p>(1) <u>Deposit a cigarette, cloth, grass, earth, metal, plastic, unsuitable paper or wood into a bowl, pan or urinal.</u></p>
<p><u>All bridges and culverts in the local government area</u></p>	<p>(1) <u>Loiter;</u> (2) <u>Dive or jump from a bridge;</u> (3) <u>Throw or drop an object from a bridge; or</u> (4) <u>Obstruct or interfere with the bridge or culvert.</u></p>
<p><u>Roads</u></p>	<p>(1) <u>Damage a road;</u> (2) <u>Allow vegetation to obstruct the effective illumination of a road or a footway;</u> (3) <u>Allow vegetation to obstruct clear vision by vehicular and pedestrian traffic;</u> (4) <u>Create a potential danger to public safety for road users;</u> (5) <u>Carry out mechanical repairs to a vehicle or vessel, unless a tyre is being changed or battery being replaced to allow for immediate removal;</u> (6) <u>Store or allow a vehicle requiring repairs to remain on a road;</u> (7) <u>Doors or gates leading to buildings must not project upon a road or footway when opened; or</u> (8) <u>Park or leave an unregistered vehicle on a road which is not considered to be hazardous or abandoned.</u></p>

<p style="text-align: center;"><u>Column 1</u></p> <p style="text-align: center;"><u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u></p> <p style="text-align: center;"><u>Prohibited activity</u></p>
<p><u>All local government controlled areas and roads within the CBD</u></p>	<p><u>(1) Display goods for sale on footpaths, unless approved by the local government pursuant to a permit for a prescribed activity.</u></p>
<p><u>Boulders Camping Ground</u></p> <p><u>Babinda Rotary Park</u></p> <p><u>Greenpatch Campground</u></p> <p><u>Other Local government camping areas identified by public information advertisement</u></p>	<p><u>(1) Camp for more than 3 consecutive nights, after which a person must not return to the camping area to camp within 14 days of departure;</u></p> <p><u>(2) Reside or carry out domestic tasks in a caravan, tent, camping trailer or motorhome that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</u></p> <p><u>(3) Display or exhibit advertising matter;</u></p> <p><u>(4) Park a caravan, camping trailer, motorhome or erect in a tent in a place that is not approved by the local government;</u></p> <p><u>(5) Let or hire a caravan, camping trailer, motorhome, cabin or tent to another person without written approval from the local government;</u></p> <p><u>(6) Use hand washing facilities for purposes other than their intended use;</u></p> <p><u>(7) Take or bring an animal unless otherwise permitted by public information advertisement;</u></p> <p><u>(8) Lay down floor covering on the ground surface;</u></p> <p><u>(9) Dig a hole or trench;</u></p> <p><u>(10) Use a generator after 8:00pm and before 8:00am; or</u></p> <p><u>(11) Not dispose of waste water appropriately.</u></p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
<p>Lake Morris</p>	<p>(1) Carry out domestic tasks including ablutions, unless on infrastructure provided by the local government for that purpose;</p> <p>(2) Light or maintain a fires, except in a fireplace provided by or area designated by the local government for that purpose;</p> <p>(3) Damage, remove or interfere with any animal, vegetation or facilities, notices, official signs, equipment or property owned by local government;</p> <p>(4) Shoot or hunt;</p> <p>(5) Dig up, disturb or remove any soil, clay, gravel, sand, stone or mineral;</p> <p>(6) Deposit, release or leave any oil; Throw stones, vegetation or other objects into any watercourse;</p> <p>(7) Exercise rights of occupation or use; or</p> <p>(8) Camping, unless otherwise expressly permitted.</p>
<p>Gairns Esplanade Reserve</p>	<p>(1) Lighting and maintaining a fires, unless approved by the local government as a general activity;</p> <p>(2) The use of paths and facilities other than for the purpose intended; Camping;</p> <p>(3) Fishing</p> <p>(4) Damage, remove or interfere with any animal, vegetation, soil product or material;</p> <p>(5) Erect, remove, damage or interfere with a building, structure, path facility, sign, notice, equipment or other local government facilities;</p> <p>(6) Remove, damage or interfere with fencing, gate, chain, lock or any other measure of access control and security;</p> <p>(7) Carrying out domestic tasks, including ablutions, cooking and washing except on infrastructure provided by the local government for that purpose;</p> <p>(8) Exercise rights of occupation or use;</p> <p>(9) Entering or remaining in the area when in a state of intoxication or under the influence of liquor or any drug.</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
<p>Gairns Esplanade Lagoon</p> <p>Public swimming pools</p>	<p>(1) Interfering with any life saving equipment or behaving in a manner which disrupts the provision of life saving services;</p> <p>(2) Entering or remaining when in a state of intoxication or under the influence of liquor or any drug whatsoever;</p> <p>— <u>Fishing</u>;</p> <p>(3) Fouling or polluting;</p> <p>(4) Bringing in dangerous aquatic equipment or things;</p> <p>(5) Using aquatic equipment that causes a risk to the safety of others;</p> <p>(6) Swimming when there is no life guard on duty;</p> <p>— Disobeying lawful direction to leave the area;</p> <p>— <u>Exercise rights of occupation or use</u>; or</p> <p>(7) Bring or use any glass container.</p>
<p>Parks and Reserves</p> <p>Drainage Reserves</p>	<p>(1) Damage, remove or interfere with any animal, vegetation, facilities, notices, official signs, equipment or property owned by local government;</p> <p>(2) Exercise rights of occupation or use;</p> <p>(3) Use a <u>motor vehicle</u> except where indicated by a public information advertisement, or specifically permitted under a permit issued under a local law;</p> <p>(4) Carrying out domestic tasks, including ablutions, cooking and washing unless on infrastructure provided by the local government for that purpose; or</p> <p>(5) <u>Lighting and maintaining a fires</u>, other than in a fire place provided by the local government for that purpose;</p> <p>(6) Camping outside of areas designated for camping by the local government by a public information advertisement;</p> <p>(7) Playing golf or practicing for playing golf.</p> <p>(8) Play music or musical instruments at such a volume or in such a manner, in the opinion of an authorised person, as to interfere with any persons enjoyment of the park, reserve or drainage channel.</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
<p>Foreshore reserves</p> <p>Bathing reserves</p>	<p>(1) Remove sand;</p> <p>(2) Commit any act that would or would likely injure, displace, pollute, foul, deface or disorder any part of the foreshore or anything constructed or provided thereon, and appertaining thereto, so as to cause waste, loss or inconvenience to local government;</p> <p>— Damage, remove or interfere with any animal, vegetation, facilities, notices, official signs, equipment or property owned by local government;</p> <p>— <u>Carrying out domestic tasks, including ablutions, cooking and washing unless on infrastructure provided by the local government for that purpose;</u></p> <p>— <u>Exercise rights of occupation or use;</u> or</p> <p>(3) Play music or musical instruments at such a volume or in such a manner, in the opinion of an authorised person, as to interfere with any persons enjoyment of the foreshore.</p>
<p>All jetties and boat ramps in the local government area</p>	<p>(1) Use of boat ramps for a purpose other than launching or retrieving a vessel;</p> <p>(2) Place anchor or moor a vessel in the approach fairway or so as to obstruct or impede the approach of a vessel to a jetty, barge loading ramp or boat ramp;</p> <p>(3) Not comply with the requirements of any official sign erected by local government at or on any jetty, barge loading ramp or boat ramp;</p> <p>(4) Charging for the use of any jetty, barge loading ramp or boat ramp;</p> <p>(5) Apply a vertical load to the jetty in excess of the maximum specified on an official sign;</p> <p>(6) Obstruct or impede, in the opinion of an authorised person, the use of a jetty, barge loading ramp or boat ramp by another person or <u>motor vehicle</u>;</p> <p>(7) Drive, park or stand any <u>motor vehicle</u> except for the purpose of conveying goods along the jetty, boat ramp or barge loading ramp;</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(8) Carry out maintenance or repairs to a vessel or a motor vehicle on a boat ramp, barge loading ramp or in the approach fairway to a boat ramp unless it is an emergency;</p> <p>(9) Enter a jetty, barge loading ramp or boat ramp when it is closed;</p> <p>(10) Obstruct or impede, in the opinion of an authorised person, the use of others of any jetty, barge loading ramp or boat ramp;</p> <p>(11) Interfere with any fitting or appliance on any jetty, barge loading ramp or boat ramp for any purpose other than that for which such appliance is provided;</p> <p>(12) Extinguish, diminish or increase any light illuminating from a jetty, barge loading ramp or boat ramp;</p> <p>(13) Break, destroy, damage, deface, disfigure, interfere with or write upon any jetty, barge loading ramp or boat ramp or any notice relating thereto;</p> <p>(14) Ride any animal onto a jetty, barge loading ramp or boat ramp;</p> <p>(15) Fish from a jetty, barge loading ramp or boat ramp in a manner that, in the opinion of an authorised person, impedes or obstructs vessel, vehicular or pedestrian traffic on the jetty, barge loading ramp or boat ramp;</p> <p>(16) Place anything other than a moored or fastened vessel alongside or near a jetty, barge loading ramp or boat ramp which may obstruct or interfere with the access to and proper berthing of vessels;</p> <p>(17) Light or maintain a fire;</p> <p>(18) Solicit or canvas boat tickets, goods, foodstuffs, chattels, or any other thing;</p> <p>(19) Erect or maintain a sign, notice board or other fixtures for the purposes of exhibition of bills or notices;</p> <p>(20) Exhibit on, affix to or maintain a bill or a notice;</p> <p>(21) Dispose of fish or marine life remains in a non-designated receptacle;</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(22) Moor or fasten a vessel to any part of a jetty, barge loading ramp or boat ramp except from a bollard or other fastening appliance provided for that purpose;</p> <p>(23) Moor or fasten a vessel to steps or a landing place for cargo or passengers that in the opinion of an authorised person impedes the use by a person or obstructs other vessels;</p> <p>(24) Permit a vessel to lie alongside a jetty not properly moored or fastened in the opinion of an authorised person;</p> <p>(25) Moor or fasten a vessel for any other purposes than for embarking or disembarking passengers or crew or loading or unloading cargo, stores or goods;</p> <p>— Camping at a jetty, barge loading ramp or boat ramp;</p> <p>(26) <u>Exercise rights of occupation or use;</u> or</p> <p>(27) Use, employ or permit any vessel for delivery of fuel to vessels on the jetty unless approved under other legislation or permits.</p>
<p>Caravan parks</p>	<p>(1) Reside or carry out domestic tasks in a caravan that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</p> <p>(2) Light or maintain a fire in the open air except in a properly constructed fireplace provided by the local government;</p> <p>(3) Engage in unlawful business, trade or occupation;</p> <p>(4) Display or exhibit advertising matter;</p> <p>(5) Park a caravan or erect a tent in a place that is not allotted by caravan park manager;</p> <p>(6) Let or hire a caravan, cabin or tent to another person without written local government approval;</p> <p>(7) Take or bring an animal unless otherwise signed by a public information advertisement;</p> <p>(8) Use hand washing facilities for purposes other than their intended use;</p> <p>(9) Lay down floor covering on the ground surface;</p> <p>(10) Injure, destroy or remove a tree, shrub or plant;</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(11) Dig a hole or trench;</p> <p>(12) Exercise rights of occupation or use; or</p> <p>(13) Stay for a period longer than 12 weeks.</p>
<p>Cemeteries</p>	<p>(1) Depasture any animal;</p> <p>(2) Sell or buy an article or a thing;</p> <p>(3) Distribute or put up any handbill, card, circular or advertisement;</p> <p>(4) Damage or interfere with local government infrastructure;</p> <p>(5) Damage any tree, shrub or plant;</p> <p>(6) Take part in any meeting other than of a religious or commemorative nature;</p> <p>(7) Disturb or interfere with a funeral service;</p> <p>(8) Discharge a firearm except at a military funeral or other recognised type of funeral service ordinarily involving such discharge;</p> <p>(9) Damage or interfere with any grave, vault or memorial with any flowers or tokens placed thereon;</p> <p>(10) Drive any motor vehicle otherwise than upon a designated roadway;</p> <p>(11) Camping;</p> <p>(12) Exercise rights of occupation or use; or</p> <p>(13) Carry out domestic tasks including ablutions, cooking and washing.</p>

Column 1 Local government controlled area or road	Column 2 Prohibited activity
Libraries	(1) Disobey a direction to leave a library by an authorised person; (2) Wilfully damage, interfere with or misuse a library resource; (3) Remove a library resource from library premises unless on the terms and conditions of the library; Behave in an abusive or offensive manner or harass other persons using the library; or (4) Exercise rights of occupation or use.
All public conveniences in the local government area	(1) Damage, mutilate, defile, interfere with or destroy any local government building, structure or equipment; (2) Deposit or leave any refuse or rubbish other than in a way intended by the provision of infrastructure; (3) Bring or use any glass container Camping; (4) Exercise rights of occupation or use; or (5) Deposit in a bowl, pan or urinal: cigarette, cloth, grass, earth, metal, plastic, unsuitable paper or wood.

Column 1 Local government controlled area or road	Column 2 Prohibited activity
All bridges and culverts in the local government area	(1) Loiter; (2) Dive or jump from a bridge; (3) Throw or drop an object from a bridge; (4) Exercise rights of occupation or use; or (5) Obstruct or interfere with the bridge or culvert.
Roads	(1) Damage a road; (2) Allow vegetation to obstruct the effective illumination of a road or a footway;

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(3) Allow vegetation to obstruct clear vision by vehicular and pedestrian traffic;</p> <p>— Create a potential danger to public safety for road users;</p> <p>— <u>Carry out mechanical repairs to a motor vehicle or vessel, unless a tyre is being changed or battery being replaced to allow for immediate removal from the road;</u></p> <p>(4) <u>Store or allow a motor vehicle requiring mechanical repairs to remain on a road;</u></p> <p>(5) Camping;</p> <p>(6) Carry out domestic tasks, including ablutions, cooking and washing;</p> <p>(7) Doors or gates leading to buildings must not project upon a road or footway when opened; or</p> <p>— <u>Display a vehicle for sale Park or leave an unregistered motor vehicle on a road which is not considered to be hazardous or abandoned; or</u></p> <p>(8) <u>Exercise rights of occupation or use.</u></p>
<p>All local government controlled areas and roads within the CBD</p>	<p>— <u>Display goods for sale on footpaths, unless approved by the local government pursuant to a permit for a prescribed activity; or.</u></p> <p>(1) <u>Display a motor vehicle for sale.</u></p>
<p>Boulders Camping Ground</p> <p>Babinda Rotary Park</p>	<p>(1) Camp for more than 3 consecutive nights, after which a person must not return to the camping area to camp within 14 days of departure;</p> <p>(2) Reside or carry out domestic tasks in a caravan, tent, camping trailer or motorhome that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</p> <p>(3) Light or maintain a fire in the open air except in a properly constructed fireplace approved by the local government;</p> <p>(4) Engage in unlawful business, trade or occupation;</p> <p>(5) Display or exhibit advertising matter;</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(6) Park a caravan, camping trailer, motorhome or erect in a tent in a place that is not approved by the local government;</p> <p>(7) Let or hire a caravan, camping trailer, motorhome, cabin or tent to another person without written approval from the local government;</p> <p>(8) Use hand washing facilities for purposes other than their intended use;</p> <p>(9) Take or bring an animal unless otherwise permitted by public information advertisement;</p> <p>(10) Lay down floor covering on the ground surface;</p> <p>(11) Damage, destroy or remove a tree, shrub or plant;</p> <p>(12) Dig a hole or trench;</p> <p>(13) Use a generator after 8:00pm and before 8:00am;</p> <p>(14) Damage or interfere with local government infrastructure;</p> <p>(15) Deposit or leave any refuse or rubbish anywhere other than in refuse or rubbish bins provided;</p> <p>(16) Not dispose of waste water appropriately; <u>or</u></p> <p>(17) <u>Exercise rights of occupation or use.</u></p>
<p>Lake Morris Campground</p>	<p>(1) Camp for more than 3 consecutive nights, after which a person must not return to the camping area to camp within 14 days of departure;</p> <p>(2) Reside or carry out domestic tasks in a tent that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</p> <p>(3) <u>Carrying out domestic tasks, including ablutions, cooking and washing unless on infrastructure provided by the local government for that purpose;</u></p> <p>(4) Light or maintain a fire in the open air except in a properly constructed fireplace approved by the local government;</p> <p>(5) Engage in unlawful business, trade or occupation;</p> <p>(6) Display or exhibit advertising matter;</p> <p>(7) Erect in a tent in a place that is not approved by the local government;</p>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
	<p>(8) Let or hire a tent to another person without written approval from the local government;</p> <p>(9) Use hand washing facilities for purposes other than their intended use;</p> <p>(10) Take or bring an animal unless otherwise permitted by public information advertisement;</p> <p>(11) Lay down floor covering on the ground surface;</p> <p>(12) Damage, destroy or remove a tree, shrub or plant;</p> <p>(13) Dig a hole or trench;</p> <p>(14) Use a generator after 8:00pm and before 8:00am;</p> <p>(15) Damage or interfere with local government infrastructure;</p> <p>(16) Deposit or leave any refuse or rubbish anywhere other than in refuse or rubbish bins provided;</p> <p>(17) Not dispose of waste water appropriately;</p> <p>— Drive, bring or camp in a motor vehicle towing a caravan, camping trailer, motorhome or similar; or</p> <p>(18) <u>Exercise rights of occupation or use.</u></p>
<p>Local government camping areas identified by public information advertisement</p>	<p>(1) Reside or carry out domestic tasks in a caravan, tent, camping trailer or motorhome, that in the opinion of an authorised person is dilapidated, unsightly or overcrowded or unfit for use;</p> <p>(2) Light or maintain a fire in the open air except in a properly constructed fireplace approved by the local government;</p> <p>(3) Engage in unlawful business, trade or occupation;</p> <p>(4) Display or exhibit advertising matter;</p> <p>(5) Park a caravan, camping trailer, motorhome or erect a tent in a place that is not approved by the local government;</p> <p>(6) Let or hire a caravan, camping trailer motorhome cabin or tent to another person without written approval from the local government;</p> <p>(7) Use hand washing facilities for purposes other than their intended use;</p>

Column 1 Local government controlled area or road	Column 2 Prohibited activity
	(8) Lay down floor covering on the ground surface; (9) Take or bring an animal unless otherwise permitted by public information advertisement; (10) Damage, destroy or remove a tree, shrub or plant; (1) Dig a hole or trench; (12) Use a generator after 8:00pm and before 8:00am; (13) Damage or interfere with local government infrastructure; (14) Deposit or leave any refuse or rubbish anywhere other than in refuse or rubbish bins provided; (15) Not dispose of waste water appropriately; <u>(16) Exercise rights of occupation or use;</u> (167) Stay for a period longer than permitted by public information advertisement.
Within any smoke free area	Smoke
All Local Government Controlled areas and Roads	Touting

Schedule 3 – Restricted activities for local government controlled areas or roads

Section 7 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

<p style="text-align: center;"><u>Column 1</u> <u>Local government controlled area or road</u></p>	<p style="text-align: center;"><u>Column 2</u> <u>Restricted activity</u></p>	<p style="text-align: center;"><u>Column 3</u> <u>Extent of restriction</u></p>
<p><u>All local government controlled areas and roads</u></p>	<p>(1) <u>Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the area or which has the potential to damage or interfere with the area or infrastructure within the area;</u></p> <p>(2) <u>Dispose of the remains of a dead animal;</u></p> <p>(1) <u>Being at the area outside of the opening hours for the area;</u></p> <p>(2) <u>Bring or use a glass container; or</u></p> <p>(3) <u>Fly a model aircraft, which includes a drone and remote controlled aircraft.</u></p>	<p><u>Permitted only with the written authorisation of the chief executive officer or delegate</u></p>
<p><u>All jetties, barge loading ramps and boat ramps in the local government area</u></p>	<p>(1) <u>Moor, fasten or berth a private vessel to a jetty for any purpose other than the time that is it reasonably required for embarking or disembarking passengers or crew or loading or unloading cargo, stores or goods, but not more than the time stipulated on signage erected by the local government; or</u></p> <p>(2) <u>Moor, fasten or berth a vessel for more than one (1) hour.</u></p>	<p><u>Permitted only with the written authorisation of the chief executive officer or delegate</u></p>
<p><u>All footpaths in the local government area</u></p>	<p><u>Driving, riding, leading, wheeling or standing any goods, vehicle, vessel or other thing in, or across a footpath or nature strip.</u></p>	<p><u>The restriction does not apply to:</u></p> <p><u>(a) entry or exit from adjoining properties;</u></p> <p><u>(b) riding or using a</u></p>

<u>Column 1</u> <u>Local government controlled area or road</u>	<u>Column 2</u> <u>Restricted activity</u>	<u>Column 3</u> <u>Extent of restriction</u>
		<u>bicycle, pram, wheeled toy, wheeled recreational device or personal mobility device;</u> <u>or</u> <u>(c) persons validly using a wheelchair or a motorised mobility device.</u>
<u>All roads within the local government area</u>	<u>Depasturing or agistment of animals.</u>	<u>Permitted only with the written authorisation of the chief executive officer or delegate</u>
<u>Sports fields</u>	<u>Bring, walk or have a dog.</u>	<u>Permitted only with the written authorisation of the chief executive officer or delegate</u>

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Restricted activity</p>	<p style="text-align: center;">Column 3</p> <p style="text-align: center;">Extent of restriction</p>
<p>All local government controlled areas and roads</p>	<p>(1) Any activity that may obstruct the safe movement of users of the area or which has the potential to damage or interfere with the area or infrastructure within the area;</p> <p>(2) Dispose of the remains of a dead animal;</p> <p>(3) Being at the area outside of opening hours for the area;</p> <p>(4) Landing or taking off in a helicopter.</p>	<p>Permitted only with the written authorisation of the chief executive officer or delegate</p>
<p>Cairns Esplanade Reserve</p>	<p>Bring or use a glass container</p>	<p>Permitted only with the written authorisation of the chief executive officer or delegate</p>
<p>Cemeteries</p>	<p>Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the cemetery or which has the potential to damage or interfere with the cemetery's infrastructure.</p>	<p>Permitted only with the written authorisation of the chief executive officer or delegate</p>
<p>Parks and reserves</p> <p>Drainage reserves</p>	<p>(1) Any activity that may in the opinion of an authorised person obstruct the safe movement of users of the park or reserve or which has the potential to damage or interfere with the park or reserve's infrastructure;</p> <p>(2) Fly a <u>model aircraft</u>, <u>which includes a drone and remote controlled aircraft</u>;</p> <p>(3) Bring or use a glass container; or</p>	<p>Permitted only with the written authorisation of the chief executive officer or delegate</p>

Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
	(4) Dispose of the remains of an animal.	
All jetties, barge loading ramps and boat ramps in the local government area	(1) Moor, fasten or berth a private vessel to a jetty for any purpose other than the time that is it reasonably required for embarking or disembarking passengers or crew or loading or unloading cargo, stores or goods, but not more than the time stipulated on signage erected by the local government.; (1) Moor, fasten or berth a vessel for any period exceeding more than one (1) hour	Permitted only with the written authorisation of the chief executive officer or delegate
All footpaths in the local government area	Driving, riding, leading wheeling or standing any goods, vehicle, vessel, animal or other thing in, or across a footpath	The use of electric scooters on all footpaths within the CBD, unless otherwise authorised by a permit from the local government. The restriction Does not apply to: — ingress or egress entry or exit from adjoining properties; or — walking a pet; — Does not apply to riding a bicycles; or (a) persons validly using a wheelchair.

Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
All roads within the local government area	(1) Depasturing or agistment of animals; (2) Operate a horse-drawn carriage for hire or reward.	Permitted only with the written authorisation of the chief executive officer or delegate
Sports fields	Bring, walk or have a dog	Permitted only with the written authorisation of the chief executive officer or delegate

Schedule 4 - Motor vehicle access areas / bringing or driving prohibited vehicles onto motor vehicle access areas

Section 28 & 32 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

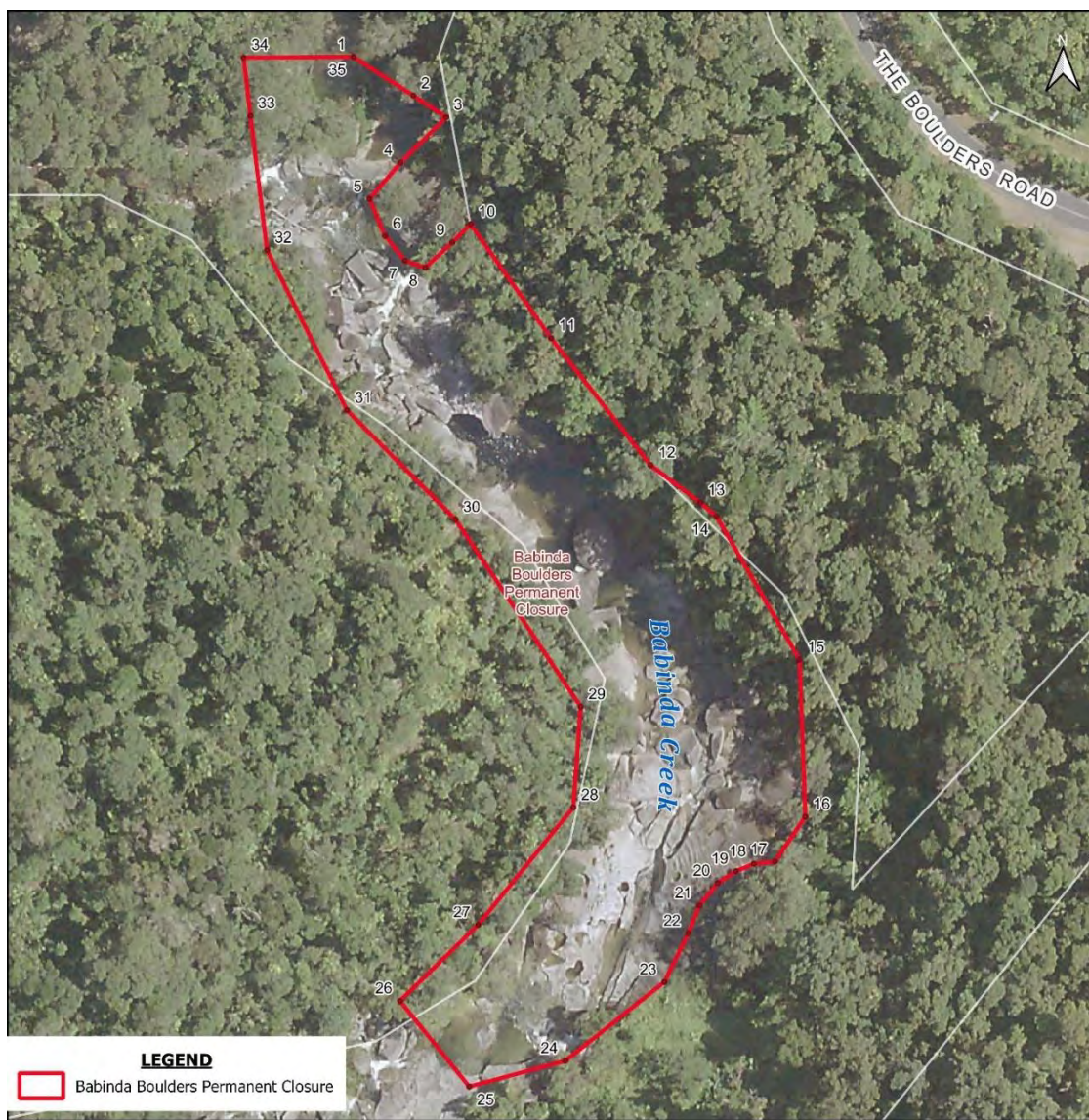
Column 1 Motor vehicle access areas	Column 2 Prohibited vehicles
<i>None specified</i>	<i>None specified</i>

Schedule 5 – Permanent closure of local government controlled areas

Section 43 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016

The Boulders

4	<p><i>Babinda Boulders</i></p> <p>Commencing at a point A (Lat 145d52'17.4"E, Long 17d20'34.5"S) traversing the eastern boundary of Babinda Creek in a southerly direction to point B (Lat 145d52'18.2"E, Long 17d20'41.7"S) then across Babinda Creek to point C (Lat 145d52'17.7"E, Long 17d20'41.1"S), traversing the western boundary of Babinda Creek in a northerly direction to point D (Lat 145d52'16.6"E, Long 17d20'34.5"S) and back across Babinda Creek to point of commencement.</p>
---	---



Refer to Coordinates Table

<u>The Boulders – Coordinates Table</u>				
<u>Label</u>	<u>distance</u>	<u>angle</u>	<u>x coord</u>	<u>y coord</u>
<u>1</u>	<u>0</u>	<u>106.245772</u>	<u>380092.98</u>	<u>8082157.1</u>
<u>2</u>	<u>15.36414658</u>	<u>123.0247692</u>	<u>380105.89</u>	<u>8082148.77</u>
<u>3</u>	<u>23.77923422</u>	<u>174.1528084</u>	<u>380112.93</u>	<u>8082144.16</u>
<u>4</u>	<u>37.64561442</u>	<u>222.8262692</u>	<u>380103.11</u>	<u>8082134.37</u>
<u>5</u>	<u>47.8869034</u>	<u>188.8575617</u>	<u>380096.45</u>	<u>8082126.59</u>
<u>6</u>	<u>56.51389593</u>	<u>149.087413</u>	<u>380099.80</u>	<u>8082118.64</u>
<u>7</u>	<u>63.31848996</u>	<u>125.1221808</u>	<u>380104.08</u>	<u>8082113.35</u>
<u>8</u>	<u>67.93584852</u>	<u>78.05007423</u>	<u>380108.44</u>	<u>8082111.83</u>
<u>9</u>	<u>75.9092355</u>	<u>45.94018753</u>	<u>380114.26</u>	<u>8082117.28</u>
<u>10</u>	<u>81.42466839</u>	<u>94.90131816</u>	<u>380118.16</u>	<u>8082121.18</u>
<u>11</u>	<u>111.3694259</u>	<u>143.347275</u>	<u>380135.42</u>	<u>8082096.71</u>
<u>12</u>	<u>146.0775301</u>	<u>134.4109529</u>	<u>380156.84</u>	<u>8082069.4</u>
<u>13</u>	<u>159.4255374</u>	<u>128.4953883</u>	<u>380167.51</u>	<u>8082061.38</u>
<u>14</u>	<u>164.0246678</u>	<u>139.9850931</u>	<u>380171.03</u>	<u>8082058.42</u>
<u>15</u>	<u>199.5873139</u>	<u>163.8938387</u>	<u>380188.86</u>	<u>8082027.65</u>
<u>16</u>	<u>233.350461</u>	<u>195.9681588</u>	<u>380190.11</u>	<u>8081993.91</u>
<u>17</u>	<u>245.0104996</u>	<u>239.086668</u>	<u>380183.58</u>	<u>8081984.25</u>
<u>18</u>	<u>249.5946571</u>	<u>255.8864441</u>	<u>380179.02</u>	<u>8081983.78</u>
<u>19</u>	<u>253.7247055</u>	<u>242.2041274</u>	<u>380175.20</u>	<u>8081982.21</u>
<u>20</u>	<u>258.4120609</u>	<u>228.0167697</u>	<u>380171.28</u>	<u>8081979.64</u>
<u>21</u>	<u>264.5875365</u>	<u>210.5586322</u>	<u>380167.37</u>	<u>8081974.86</u>
<u>22</u>	<u>271.0404506</u>	<u>204.0456397</u>	<u>380164.97</u>	<u>8081968.87</u>
<u>23</u>	<u>282.6815889</u>	<u>218.8627462</u>	<u>380159.82</u>	<u>8081958.43</u>
<u>24</u>	<u>309.8590152</u>	<u>243.2229126</u>	<u>380138.56</u>	<u>8081941.5</u>
<u>25</u>	<u>331.2708086</u>	<u>287.9904278</u>	<u>380117.88</u>	<u>8081935.95</u>
<u>26</u>	<u>354.9331035</u>	<u>3.390441442</u>	<u>380102.99</u>	<u>8081954.34</u>
<u>27</u>	<u>378.3899938</u>	<u>42.40305167</u>	<u>380119.80</u>	<u>8081970.7</u>
<u>28</u>	<u>410.8810572</u>	<u>21.60720458</u>	<u>380140.26</u>	<u>8081995.94</u>
<u>29</u>	<u>432.5287938</u>	<u>345.1952115</u>	<u>380141.84</u>	<u>8082017.53</u>
<u>30</u>	<u>480.9264673</u>	<u>320.6882401</u>	<u>380114.92</u>	<u>8082057.75</u>
<u>31</u>	<u>513.9767865</u>	<u>324.3099422</u>	<u>380091.62</u>	<u>8082081.19</u>
<u>32</u>	<u>552.4550453</u>	<u>343.1970732</u>	<u>380074.42</u>	<u>8082115.61</u>
<u>33</u>	<u>581.5250883</u>	<u>353.1419587</u>	<u>380070.85</u>	<u>8082144.46</u>
<u>34</u>	<u>594.1100635</u>	<u>41.49900396</u>	<u>380069.39</u>	<u>8082156.96</u>
<u>35</u>	<u>617.7004789</u>	<u>106.245772</u>	<u>380092.98</u>	<u>8082157.1</u>

Schedule 6 – Detailed Area Management Plans

Section 46 Local Law No. 11 (Local Government Controlled Areas and Roads) 2015

1	<i>None specified</i>
---	-----------------------

|

CERTIFICATION

~~This and the preceding 96 pages bearing my initials is a certified copy of Cairns Regional Council Subordinate Local Law No. 11 (Local Government Controlled Areas, Facilities and Roads) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabulo~~

~~Chief Executive Officer~~

~~Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 12 (Parking) 2016**

| **Current as at ~~1~~ [March 2016](#)**

Cairns Regional Council Local Law No. 12 (Parking) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved.....	1
3 Relationship with other laws.....	1
Part 2 Parking	2
Division 1 Declaration of parking areas for the TORUM Act.....	2
4 Declaration of traffic areas	2
5 Declaration of off-street regulated parking areas	2
Division 2 Minor traffic offences.....	2
6 Minor traffic offences.....	2
7 Infringement notice penalties	2
8 Permit to park contrary to an official traffic sign.....	2
Division 3 Parking contrary to parking restriction.....	3
9 Parking permits and vehicle identification labels.....	3
Division 4 Parking contrary to an indication on an official traffic sign.....	33
10 Prescribed activity	33
11 Additional criteria for the granting of a permit.....	54
12 Conditions that must be imposed on a permit	65
13 Conditions that will ordinarily be imposed on a permit	65
Part 3 - Miscellaneous.....	97
14 Subordinate local laws	97

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 12 (Parking) 2016*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to regulate parking to enable appropriate and fair access to car parking throughout the local government area and provide greater controls in areas where parking is in greater demand and through off-street regulated parking areas.
- (2) The purpose is achieved by providing for:
 - (a) complementing the regulated parking provisions in Chapter 5, part 6 of the TORUM Act by the exercise of local government powers authorised under that Act;
 - (b) the establishment of traffic areas and off-street regulated parking areas;
 - (c) lawfully parking contrary to an indication on an official traffic sign with a parking permit or in a loading zone with a commercial vehicle identification label; and
 - (d) the prescribing of infringement notice penalties for minor traffic offences.

3 Relationship with other laws

This local law is:

- (a) in addition to, and does not derogate from, and made under the TORUM Act, [Chapter 5](#), [Part 6](#);
- (b) applicable to a state controlled road where the Chief Executive of the department that administers section 101(1) ([Road Transport Infrastructure](#)) of the TORUM Act approves in writing the application of this local law to a state controlled road;
- (c) to be read with *Local Law No. 1 (Administration) 2016*; and
- (d) made under Chapter 3 of the LGA.

Part 2 Parking

Division 1 Declaration of parking areas for the TORUM Act

4 Declaration of traffic areas

- (1) The whole local government area is declared to be a traffic area.
- (2) The boundaries of the traffic area are the boundaries of the local government area.

5 Declaration of off-street regulated parking areas

~~(1)~~—The local government, declares the areas of land indicated by hatching on the maps in Schedule 1 of Subordinate Local Law No. 12 (Parking) 2016 ~~Schedule 1~~ as:

~~(1)~~ off-off-street regulated parking areas.

~~(2)~~ The; he and

~~(3)~~(2) the boundaries of off-street regulated parking areas isare defined by the bold lines circumscribing the hatched areas on the maps.

Division 2 Minor traffic offences

6 Minor traffic offences

Minor traffic offences are identified in Column 1 of Schedule 2 in *Subordinate Local Law No. 12 (Parking) 2016*.

7 Infringement notice penalties

The local government prescribes the amount of penalty units for each infringement notice penalty in Column 2 of Schedule 2 of, in, Subordinate Local Law No. 12 (Parking) 2016, the amount (in penalty units) as shown in Schedule 2 Column 2, as the infringement notice penalty for the corresponding minor traffic offence which is identified in Column 1 of Schedule 2 of Subordinate Local Law No. 12 (Parking) 2016.

8 Permit to park contrary to an official traffic sign

- (1) Despite section 6, a vehicle may be parked contrary to an indication on an official traffic sign if an approval is given by the local government and:
 - (a) the vehicle displays a vehicle identification label which is:
 - (i) issued by the local government;
 - (ii) affixed securely on the left hand side of the windscreen of the approved vehicle in a prominent position;
 - (iii) valid for the place at which the vehicle is parked;
 - (iv) valid for the time at which the vehicle is parked;

- (v) valid for the purpose for which the vehicle is parked;
 - ~~(v)~~(vi) valid for the approved vehicle which is displaying the vehicle identification label;
 - ~~(vi)~~(vii) for which for a the term of the permit that has not expired; and
 - ~~(vii)~~(viii) for which for a the permit that has not been suspended or cancelled; and
- (b) the vehicle is parked in accordance with ~~the all~~ conditions of the parking permit; and
 - (c) the vehicle is used by the person or entity to whom the parking permit was issued.
- (2) Despite section 6, a vehicle may be parked contrary to an indication on an official traffic sign if ~~the~~ the vehicle displays a valid parking permit for people with disabilities ~~disability parking permit issued by the Queensland State Government or interstate Government~~, to the extent that they are allowed to be parked according to ~~under~~ the conditions ~~(if any)~~ of the disability parking permit ~~parking permit for people with disabilities~~.

Division 3 ~~Parking contrary to parking restriction~~

9 ~~Parking permits and vehicle identification labels~~

- ~~(1) The local government may issue a parking permit and in conjunction with that a vehicle identification label, under this Part.~~
- ~~(2) The persons that may be issued with a parking permit are:~~
 - ~~(a) persons who hold a permit under the local laws where the parking permit is necessary to undertake the permitted activity;~~
 - ~~(b) a person engaged in business;~~
 - ~~(c) local government employees, contractors or agents for the purpose of carrying out work for or on behalf of local government;~~
 - ~~(d) residents of a road for which a permit is required;~~
 - ~~(e) contractors or workers undertaking work on an adjoining site where a permit is first obtained;~~
 - ~~(f) a person who is the holder of a TPI repatriation health card; and~~
 - ~~(g) any other person who has reasonable grounds to warrant the issue of a parking permit as determined and authorised by the chief executive officer.~~

Division 34 ~~Parking contrary to an indication on an official traffic sign~~

109 Prescribed activity

- (1) Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee under sections 103 (4)(a)(ii) and (5) of ~~(the Transport Operations (Road Use Management) TORUM Act, 1995, section 103(4)(a)(ii))~~ is a category 1 prescribed activity.
- (2) To obtain a permit, an application must be made to Council~~the local government~~ on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.
- (3) A permit granted for parking under this local law is not transferable.
- (4) The local government may issue the following different types of permits and associated vehicle identification labels:
 - (a) commercial vehicle permit and commercial vehicle identification label;
 - (b) business parking permit and business parking identification label;
 - (c) residential parking permit and residential vehicle identification label;
 - (d) TPI parking permit and TPI vehicle identification label; and
 - (e) reserved bay parking ~~bay~~ permit and parking vehicle identification label.
- (5) The persons or entities that may apply for a permit under this local law are as follows:
 - (a) for a reserved bay parking permit:
 - (i) persons who have been granted approval or hold a permit under another local law for use of a local government controlled area where the parking permit is necessary to undertake the permitted use;
 - (ii) a person who is undertaking building or construction work where the part of the road to which the application relates is adjacent to the site of the proposed building or construction work; or
 - (iii) a person whose ability to park in the immediate vicinity of their residence or business has been affected by a road closure or another activity;
 - (b) for a business parking permit:
 - (i) a person engaged in business;
 - (c) local government employees, contractors or agents for the purpose of carrying out work for or on behalf of the local government;
 - (d) for a residential parking permit:
 - (i) a resident of accommodation adjacent to a road for which a parking permit is required;
 - (e) for a TPI or EDA parking permit:
 - (i) a person who is the holder of a Commonwealth Department of Veterans' Affairs Gold Card for a TPI or an EDA; and

- (f) any other person who in the opinion of an authorised person of the local government has reasonable grounds to warrant the issue of a parking permit.

4110 Additional criteria for the granting of a permit

The following criteria ~~isare~~ criteria that must be considered in deciding whether or not to grant a permit:

- (a) whether the permit:
- (i) is for a designated parking space where parking is restricted to permit parking;
 - (ii) is for a regulated parking area contrary to an indication by an official parking sign; or
 - (iii) is needed because access to nearby premises is restricted or difficult.
- (b) For residential parking permits:
- (i) whether the applicant is a permanent resident of accommodation adjacent to the road for which the application relates (the adjacent accommodation) ~~the CBD~~;
 - (ii) whether the vehicle the subject of the application is registered in the applicant's name at the residential address ~~located within the CBD of the adjacent accommodation~~;
 - (iii) if the vehicle the subject of the application is a company vehicle, whether the applicant has complete private use of the vehicle; ~~and~~
 - ~~(iii)~~(iv) whether there are any other residential parking permits issued for the residence adjacent accommodation; and
 - ~~(iv)~~(v) whether there are any on-site parking spaces available at the residence adjacent accommodation of the applicant.
- (c) For business parking permits:
- (i) whether the business is of such a nature that the vehicle is required to be moved around frequently within the local government area;
 - (ii) whether the vehicle is used only solely for business purposes; and
 - (iii) whether the permit is required for demonstrated business purposes.
- (d) For a TPI or EDA parking permits:
- (i) whether the applicant has been issued with a valid Commonwealth Department of Veterans' Affairs Gold Card for a TPI repatriation health card or an EDA.
- (e) For a reserved parking-bay parking permits:

- (i) whether there is a need for parking if due to building or construction work ~~is~~ being conducted or proposed at nearby premises;
- (ii) whether the parking bay it is required necessary for another permit;
- (iii) whether the permit relates to parking that is needed for a special event, festival or public assembly; and

Example:

a temporary entertainment event permit may require parking contrary to an official traffic sign.

- (iv) whether it is appropriate to reserve a particular parking bay.

(f) For a commercial vehicle permit, the motor vehicle is used for carrying on a business that requires the regular use of loading zones and the type of motor vehicle is constructed, fitted or equipped for:

- (i) the carriage of goods (excluding any car or motorbike); or
- (ii) for the carriage of persons and conforms in all respects (whether as to design or otherwise) with the directions contained within the Manual of Uniform Traffic Control Devices.

4211 Conditions that must be imposed on a permit

The following types of conditions that must be imposed on a permit:

- (a) the permit holder must securely affix the vehicle identification label to the inside of the windscreen on the left hand side of the vehicle facing outwards so it is clearly visible to a person outside the vehicle; and
- (b) the holder of a permit must return the vehicle identification label to the local government within 3 days after expiration, amendment, cancellation or suspension of the permit.

4312 Conditions that will ordinarily be imposed on a permit

(1) The following types of conditions will ordinarily be imposed on a permit, where applicable:

- (a) the vehicle specified in the permit is used within local government area wholly or substantially ~~for~~ business or commercial purposes;
- (b) the permit is valid within the local government area only;
- (c) the local government may amend any condition of the permit subject to reasonable notification to the permit holder at any time;

~~(e)~~(d) unless otherwise authorised by the permit conditions, parking in a loading zone, commercial loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or parking bay for people with disabilities is not permitted;

~~(d)~~(e) for commercial vehicle permits:

- (i) a vehicle displaying a commercial vehicle identification label may park in a commercial loading zone for the purpose of loading or unloading for up to a maximum of 30 minutes unless otherwise stated on the official traffic sign; and
- (ii) when not ~~parking~~parked in a commercial loading zone, a commercial vehicle must comply with all applicable parking requirements;
- ~~(iii) the type of vehicles must be a commercial vehicle (with the type of vehicle excluding cars or motorbikes) constructed, fitted or equipped for:~~
 - ~~(A) the carriage of goods;~~
 - ~~(B) the carriage of persons;~~
 - ~~(C) conforming in all respects (whether as to design or otherwise) with the directions in relation thereto contained in the Manual of Uniform Traffic Control Devices; and~~
 - ~~(D) which is used for carrying on a business that requires the regular use of loading zones.~~

~~(e)~~(f) for reserved bay parking ~~bay~~ permits:

- (i) the permit holder is authorised to park only in the allocated numbered bay;
- (ii) the permit allows 24 hour, 7 days a week access to the parking bay;
- (iii) cancellation of a reserved bay must be made in writing at least one month prior to cancellation;
- (iv) the permit may specify a designated area for the permit holder to park within;
- (v) limiting the parking to the activity for which the permit is being granted; and
- (vi) ensuring compliance with activity being permitted under another permit.

~~(f)~~(g) for business parking permits:

- (i) a vehicle displaying a vehicle identification label for a business parking permit may only park contrary to an indication on an official traffic sign regulating parking by time or payment of a fee as approved in the permit in a pay and display or regulated bays within a specified part of the local government area;
- (ii) the vehicle specified in the business parking permit must be used wholly or substantially within the local government area for business or commercial purposes;

- ~~(iii) the time restrictions indicated on an official traffic signs are still applicable and must be complied with.~~

Example

A time restriction indicated on an official traffic sign that states '1P', means the vehicle can only park for a maximum of 1 hour in that parking bay.

- ~~(ii) the vehicle specified in the business parking permit is used within local government area wholly or substantially for business or commercial purposes;~~

- ~~(iii)~~(iv) a vehicle displaying a vehicle identification label for a business parking permit must have frequent movement in and around the local government area:

NB - the purpose of the business permit is not for all day parking in front of their place of employment.

- ~~(iv) parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or disabled bays is not permitted;~~
- (v) a business parking permit does not guarantee the availability of a parking bays ~~when a vehicle is moved out of a parking bays~~; and
- (vi) a vehicle displaying a vehicle identification label for a business parking permit must not park adjacent to or in close proximity to a business of a similar nature for longer than a 30 minute period ~~of on~~ any given day.

~~(g)~~(h) for residential parking permits:

- (i) a vehicle displaying a vehicle identification label for a residential parking permit may only park within in the specified ~~a~~ pay and display or regulated bays within the local government area ~~only~~;
- (ii) the vehicle specified in the residential parking permit must not be used within the local government area for business or commercial purposes;
- (iii) the residential parking permit is valid within the local government area only at the location specified on the permit;
- (iv) the maximum the number of residential parking permits allowed permitted for each dwelling is is the maximum number of 2 permits per residential address, less the number of onsite parking spaces available or which may be reasonably provided at the residence; and
- ~~(v) parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or disabled bays is not permitted; and~~

~~(vi)~~(v) a residential parking permit ~~will~~ does not guarantee the availability of a parking bays ~~when a vehicle is moved out of a parking bays; or,~~

~~(h)~~(i) for TPI or EDA parking permits:

(i) a maximum of one TPI or EDA parking permit ~~only~~ is to be issued to the holder of a TPI repatriation health card Commonwealth Department of Veterans' Affairs Gold Card for a TPI or an EDA;

(ii) a vehicle displaying a vehicle identification label for a TPI or EDA parking ~~Permit~~ permit may only park in the specified a pay and display or regulated parking bays within the local government area only;

~~(iii)~~ parking in a loading zone, no standing zone, no stopping zone, no parking zone, bus zone, taxi zone, emergency vehicle zones or disabled bays is not permitted;

~~(iv)~~(iii) a TPI or EDA parking permit ~~will~~ does not guarantee the availability of a parking bays ~~when the vehicle is moved out of the parking bays;~~ and

(iv) the time restrictions ~~(for example 1P, 2P, 3P etc.)~~, specifiedindicated on an official traffic signs ~~still apply~~ must be complied with.

Example

A time restriction indicated on an official traffic sign that states '1P', means the vehicle can only park for a maximum of 1 hour in that parking bay.

Part 3 –Miscellaneous

1413 Subordinate local laws

- (1) The local government may make subordinate local laws:
 - (a) to identify off-street regulated parking areas;
 - (b) to define boundaries of off street regulated parking areas; and
 - (c) to set infringement notice penalty amounts that apply for minor traffic offences.

CERTIFICATION

~~This and the preceding 8 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No.12 (Parking) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

~~Peter Tabule
Chief Executive Officer
Cairns Regional Council~~



Cairns Regional Council Subordinate Local Law No.12 (Parking) 2016

Consolidated as in force ~~1 January 2018~~

Amendment Table
adopted by resolution of 27 January 2016 to commence on 1 March 2016
amended by resolution of 6 December 2017 to commence on 1 January 2018

Cairns Regional Council Subordinate Local Law No. 12 (Parking) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose and how it is to be achieved.....	1
3 Authorising local law	1
Schedule 1 - Declaration of off-street regulated parking areas	2
Schedule 2 - Infringement notice penalty amounts for certain minor traffic offences ..	316

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 12 (Parking) 2016*.

2 Purpose and how it is to be achieved

(1) The purpose of this subordinate local law is to support *Local Law No. 12 (Parking) 2016* to regulate parking on local government controlled areas and roads.

(2) The purpose is to be achieved by ~~providing for~~:

(a) identifying the declared off-street regulated parking areas; and

(b) providing ~~for~~ the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 12 (Parking) 2016* (the **authorising local law**).

Schedule 1 – Declaration of off-street regulated parking areas

Section 5 *Local Law No. 12 (Parking) 2016*

Cairns off-street regulated parking areas

Lake Street Parking Station – Map A





Cairns off-street regulated parking areas

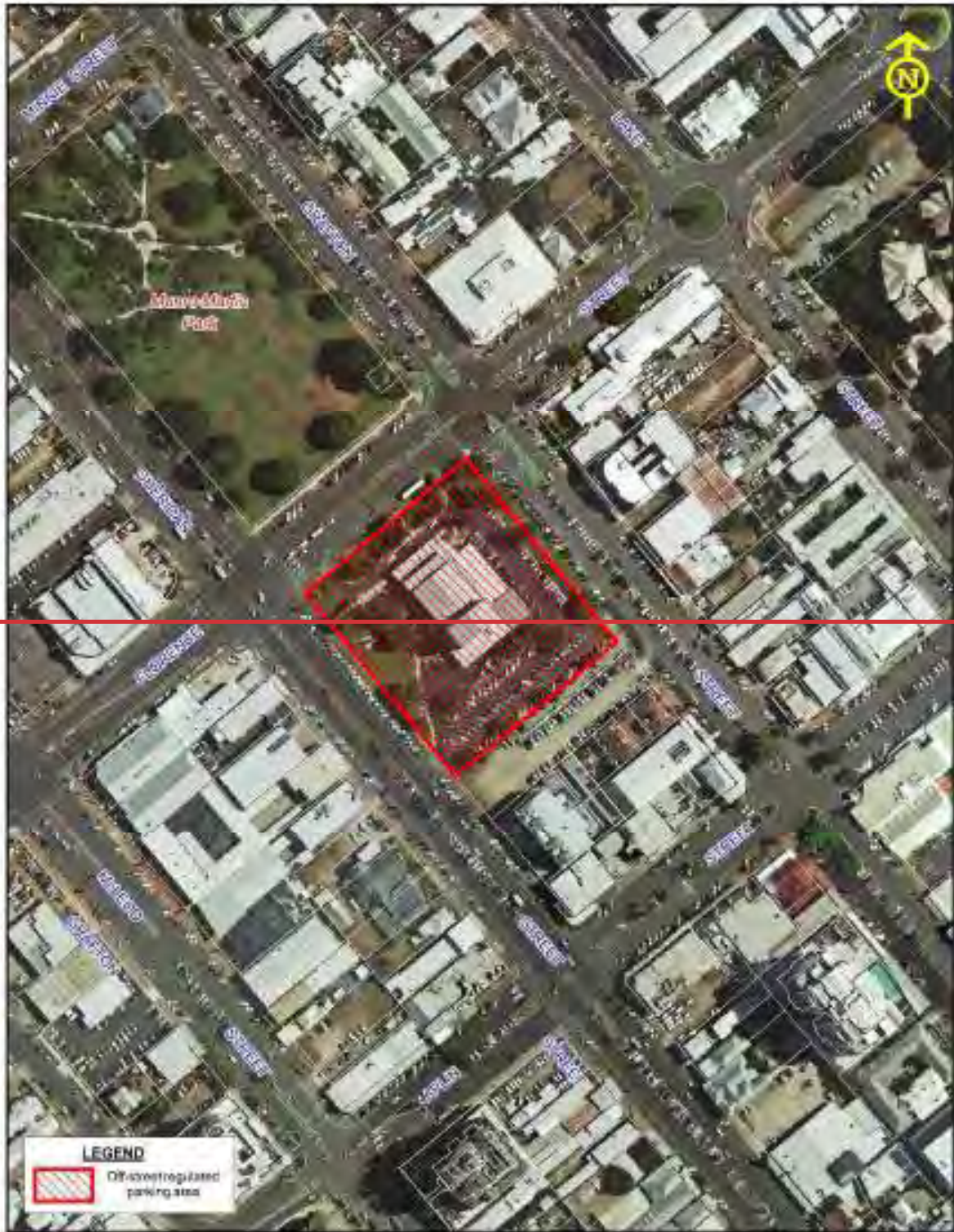
Southern Esplanade Car Park ~~(The Pier)~~ – Map B





Cairns off-street regulated parking areas

Cairns Performing Arts Centre (CPAC) Civic Theatre Car Park – Map C





Cairns off-street regulated parking areas

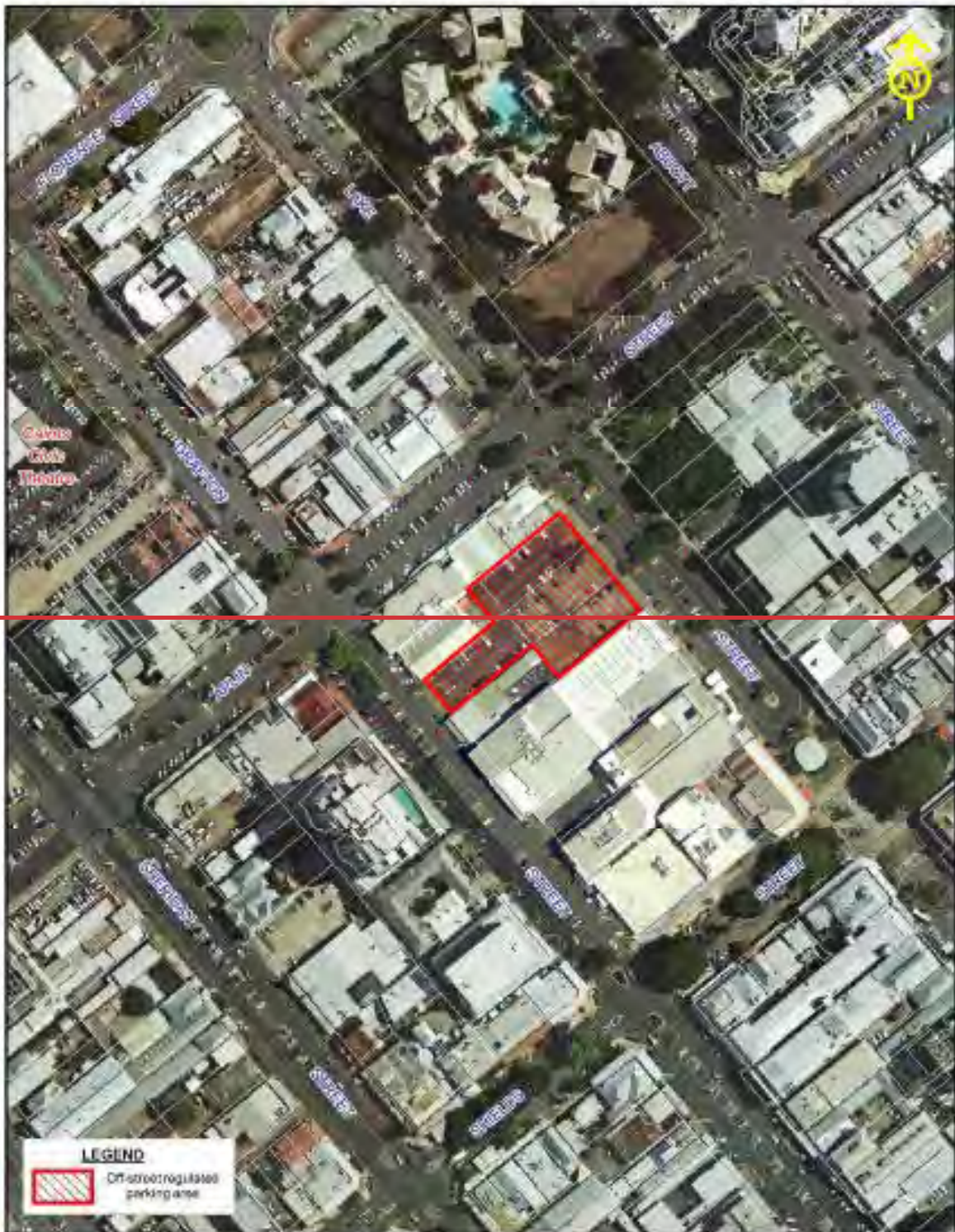
Tingira Street Car Park – Map D





Cairns off-street regulated parking areas

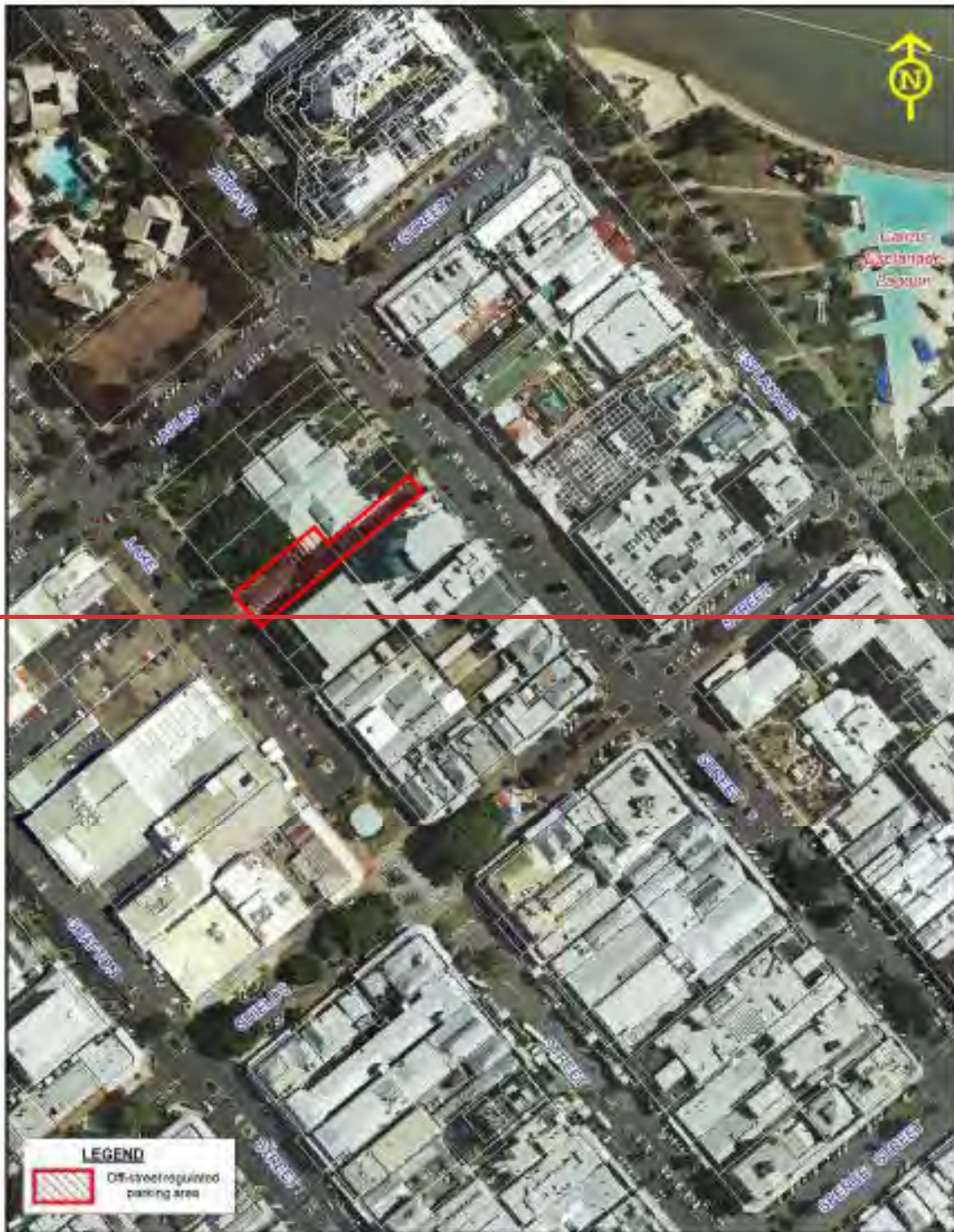
Grafton Street North Car Park (Old Library Car Park) – Map E





Cairns off-street regulated parking areas

Cairns Regional Council Library Car Park – Map F





Cairns off-street regulated parking areas

[Cairns Regional](#) Council Chambers Car Park – Map G





Cairns off-street regulated parking areas

Hospital Esplanade Car Park – Map H





Cairns off-street regulated parking areas

Hartley Street Car Park – Map I

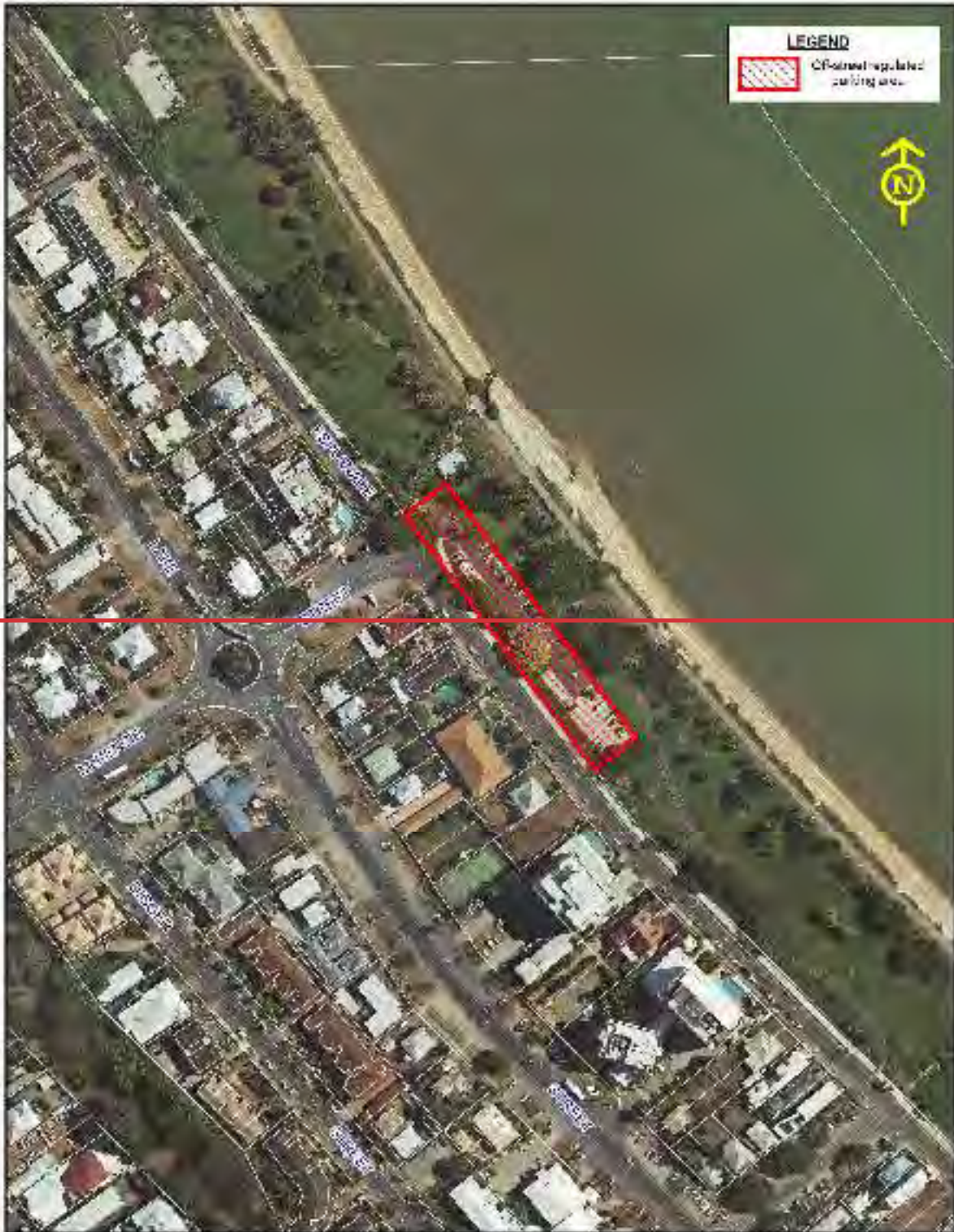






Cairns off-street regulated parking areas

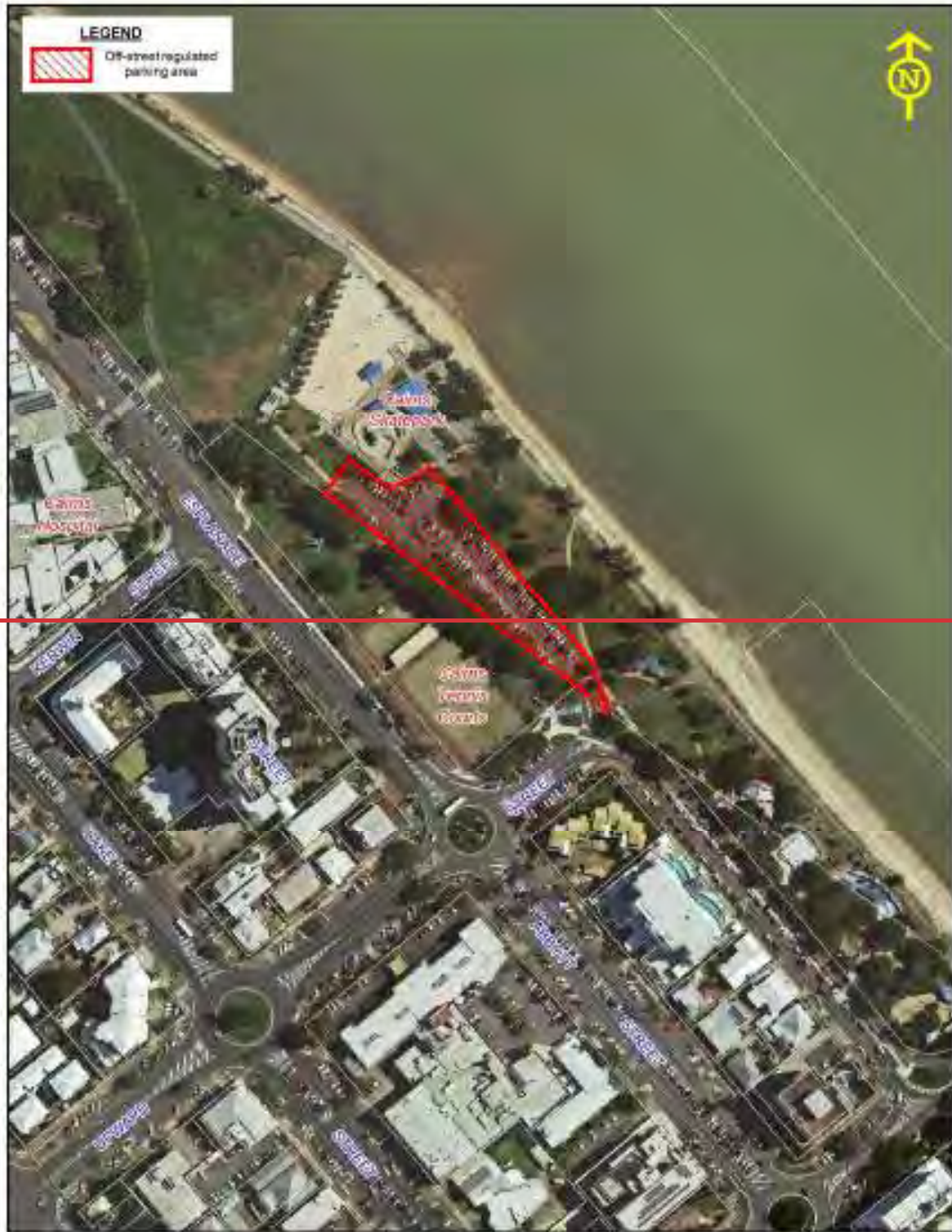
McKenzie Street Car Park – Map K





Cairns off-street regulated parking areas

Skate Park Car Park – Map L





Cairns off-street regulated parking areas

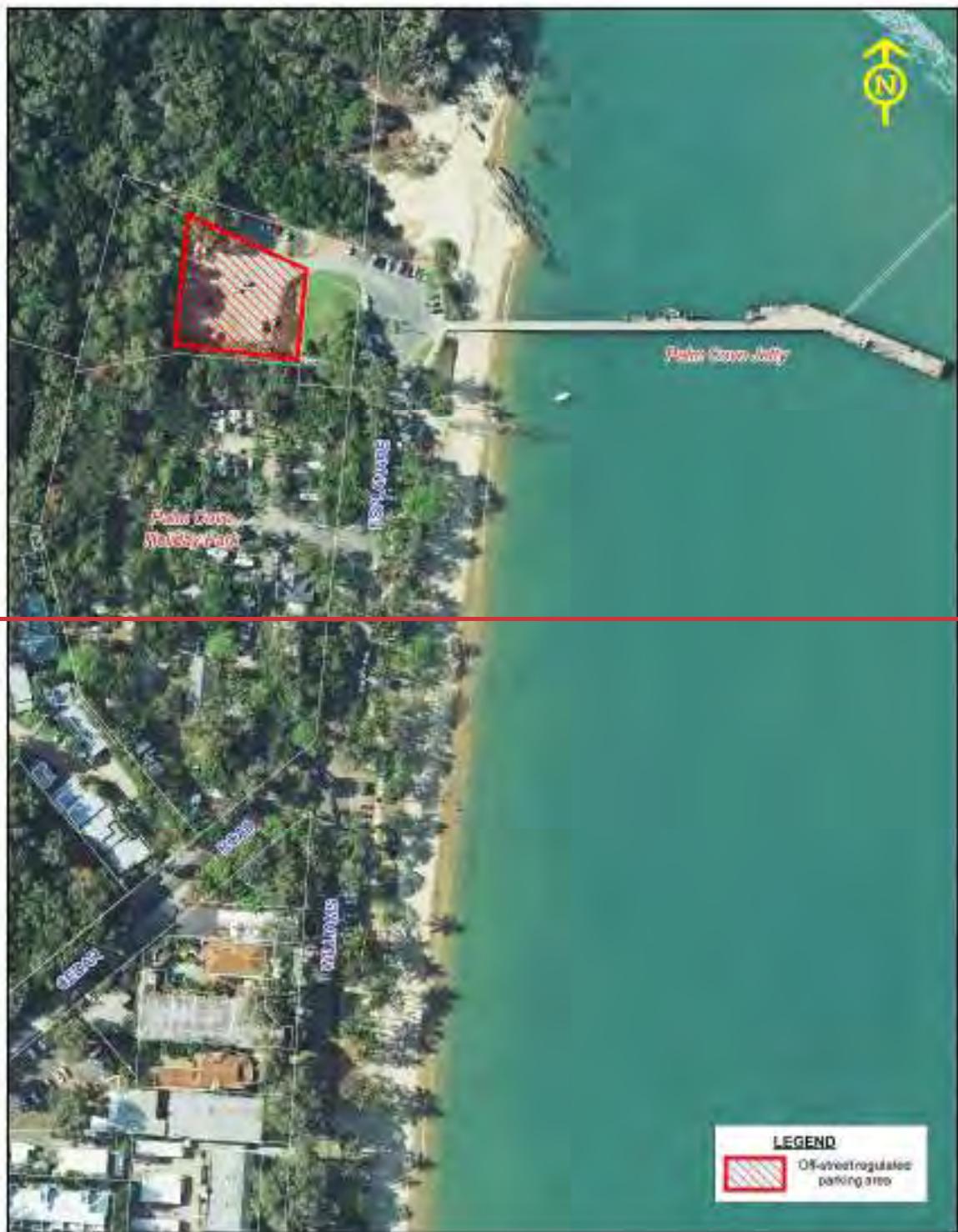
Smith Street Car Park – Map M





Cairns off-street regulated parking areas

Palm Cove Jetty Car Park – Map N





Cairns off-street regulated parking areas

Bluewater Boat Ramp Car Park – Map O



Cairns off-street regulated parking areas

Tanks Car Park – Map P



Schedule 2 - Infringement notice penalty amounts for certain minor traffic offences

Section 7 Local Law No. 12 (Parking) 2016

Column 1		Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking in a designated parking space where a parking meter or parkatarea installed for the space indicates that a parking fee has not been paid.	0.46 Penalty Units
106(1)(a)(ii)	Parking in a designated parking space without complying with the authorised system that applies for that space.	0.46 Penalty Units
106(1)(b)	Parking in a designated parking space for a period longer than the maximum time indicated on the official traffic sign installed for the space.	0.46 Penalty Units
106(1)(c)	Parking in a designated parking space in which another vehicle is parked.	0.46 Penalty Units
106(1)(d)	Parking in a designated parking space so that the vehicle is not wholly within that space.	0.46 Penalty Units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
167	Stopping on a length of road or in an area to which no stopping sign applies.	0.92 Penalty Units
168(1)	Stopping on a length of road or in an area to which no parking sign applies.	0.92 Penalty Units
169	Stopping at the side of a road marked with a continuous yellow edge line.	0.92 Penalty Units
170(1)	Stopping in an intersection.	0.92 Penalty Units
170(2)	Stopping on a road within 20m from the nearest point of an intersecting road at an intersection with traffic lights.	0.92 Penalty Units
170(4)	Stopping on a road within 10m from the nearest point of an intersecting road at an intersection without traffic lights.	0.92 Penalty Units
171(1)(a)	Stopping on a children’s crossing.	0.92 Penalty Units
171(1)(b)	Stopping on the road within 20m before the children’s crossing or 10m after the crossing.	0.92 Penalty Units
172(1)	Stopping on a pedestrian crossing that is not an intersection, or on the road within 20m before the crossing and 10m after the crossing.	0.92 Penalty Units
173(1)	Stopping on a marked foot crossing that is not an intersection, or on the road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing.	0.92 Penalty Units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
174(2)	<p>Stopping within 10m before the traffic lights nearest to the driver at the place, and 3m after the traffic lights on a road:</p> <ol style="list-style-type: none"> 1) with bicycle crossing lights facing bicycle riders crossing the road; and 2) with traffic lights facing traffic travelling on the road, and 3) that is not an intersection. 	0.92 Penalty Units
175(1)	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing.	0.92 Penalty Units
176(1)	Stopping on a length of road other than a road-related area, to which a clearway sign applies.	0.92 Penalty Units
179(1)	Stopping in a loading zone.	0.92 Penalty Units
179(2)	Stopping continuously in a loading zone by a bus, truck or motor vehicle displaying a commercial vehicle identification label for longer than 30 minutes or such other time as indicated on the loading zone sign applying to the loading zone.	0.92 Penalty Units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
179(2A)	Stopping continuously in a loading zone by a motor vehicle that is dropping off, or picking up, goods for longer than 20 minutes.	0.92 Penalty Units
179(2B)	Stopping continuously in a loading zone by a motor vehicle that is dropping off, or picking up, passengers for longer than 2 minutes.	0.92 Penalty Units
180(1)	Stopping in a truck zone.	0.92 Penalty Units
181(1)	Stopping in a works zone.	0.92 Penalty Units
182(1)	Stopping in a taxi zone.	0.92 Penalty Units
183(1)	Stopping in a bus zone.	1.15 Penalty Unit
185(1)	Stopping in a permit zone unless the driver’s vehicle displays a current permit.	0.92 Penalty Units
186(1)	Stopping in a mail zone.	0.92 Penalty Units
187(1)	Stopping in a bus lane, tram lane, transit lane, or truck lane.	0.92 Penalty Units
187(2)	Stopping in a tram lane, tramway or on tram tracks.	0.92 Penalty Units
188	Stopping in a shared zone.	0.92 Penalty Units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
189	Stopping on a road: <ol style="list-style-type: none"> 1) if the roadway is a two-way road – between the centre of the road and another vehicle that is parked at the side of the road; or 2) if the road is a one-way road – between the far side of the road and another vehicle that is parked at the side of the road. 	0.92 Penalty Units
190	Stopping in a safety zone or on a road within 10m before or after a safety zone.	0.92 Penalty Units
191	Stopping on a road near an obstruction on the road in a position that obstructs traffic on the road.	0.92 Penalty Units
192(1)	Stopping on a bridge, causeway, ramp or similar structure.	0.92 Penalty Units
192(2)	Stopping in a tunnel or underpass.	0.92 Penalty Units
193(1)	Stopping on or near a crest on a length of road that is not in a built-up area.	0.92 Penalty Units
194(1)	Stopping within 1m of a fire hydrant, fire hydrant indicator or fire plug indicator.	0.92 Penalty Units
195(1)	Stopping at a bus stop, or on the road, within 20m before a sign on the road that indicates the bus stop, and 10m after the sign.	0.92 Penalty Units

Column 1		Column 2
Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision	Minor Traffic Offence	Infringement notice penalty amount
196(1)	Stopping at a tram stop or on the road within 20m before a sign that indicates a tram stop.	0.92 Penalty Units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or nature strip adjacent to a length of road in a built-up area.	0.46 Penalty Units
<u>197(1A)</u>	<u>Stopping on a painted island.</u>	<u>0.46 Penalty Units</u>
<u>197(1B)</u>	<u>Stopping on a traffic island.</u>	<u>0.46 Penalty Units</u>
198(1)	Stopping on a road in a position that obstructs access by vehicles or pedestrians to or from a footpath ramp or a similar way of access to a footpath or a bicycle path or passage way.	0.46 Penalty Units
198(2)	Stopping on or across a driveway or other way of access for vehicles travelling to or from adjacent land.	0.46 Penalty Units
199	Stopping on a road within 3m of a public post box.	0.92 Penalty Units
200(1)	Stopping a heavy vehicle, or long vehicle, on a length of road that is not in a built up area, except on the shoulder of the road.	0.92 Penalty Units
200(2)	Stopping a heavy vehicle, or long vehicle on a length of road in a built-up area for longer than 1 hour.	0.92 Penalty Units

Column 1		Column 2
Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision	Minor Traffic Offence	Infringement notice penalty amount
201	Stopping on a length of road to which a bicycle parking sign applies.	0.46 Penalty Units
202	Stopping on a length of road to which a motorbike parking sign applies.	0.46 Penalty Units
203(1)	Stopping in a parking area for people with disabilities.	4 1.725 Penalty Units
<u>203A</u>	<u>Stopping in a slip lane.</u>	<u>0.46 Penalty Units</u>
<u>203C</u>	<u>Stopping in a parking area for the charging of electric-powered vehicles.</u>	<u>0.46 Penalty Units</u>
205	Parking continuously on a length of road, or in an area, to which a permissive parking sign applies for longer than: 1) the period indicated by information on or with the sign ; or 2) if the vehicle displays a current parking permit for people with disabilities – the period stated in the permit.	0.46 Penalty Units
208(1)	Parallel parking on a road: failing to properly position the vehicle (except in a median strip parking area).	0.46 Penalty Units
208A	Parking in a road-related area (except in a median strip parking area) without properly positioning the vehicle.	0.46 Penalty Units

Column 1		Column 2
Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision	Minor Traffic Offence	Infringement notice penalty amount
<u>209</u>	<u>Parallel parking in a median strip parking area: failing to properly position the vehicle.</u>	<u>0.46 Penalty Units</u>
210(1)	Angle parking in a parking area on the side of the road or in a median strip area to which a parking control sign or road marking applies – failure to properly position the vehicle.	0.46 Penalty Units
211(2)	Parking a vehicle not completely within a parking bay.	0.46 Penalty Units
211(3)	If a vehicle is too wide or long to fit completely within a single parking bay, not parking the vehicle within the number of parking bays needed to park the vehicle.	0.46 Penalty Units
212(1)	Entering or leaving a median strip parking area in a different direction to the direction that is indicated on a traffic control device.	0.92 Penalty Units
212(2)	Entering or leaving a median strip parking area backwards instead of forwards where there is no information on or with a traffic control device.	0.92 Penalty Units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking).	0.46 Penalty Units

CERTIFICATION

~~This and the preceding 22 pages bearing my initials is a certified copy of the consolidated version of Cairns Regional Council Subordinate Local Law No. 12 (Parking) 2016 adopted in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated the 6 December 2017.~~

~~_____
John Andrejic
Chief Executive Officer
Cairns Regional Council~~



**Cairns Regional Council
Local Law No. 14 (Town Water) 2016**

| **Current as at ~~1 March 2016~~**

Cairns Regional Council

Local Law No. 14 (Water) 2016

Contents

Part 1 Preliminary.....	1
1 Short title.....	1
2 Purpose	1
3 Application	1
4 Relationship with other laws	1
Part 2 Ownership	1
5 Ownership.....	1
Part 3 Maintenance, protection and tampering.....	2
6 Maintenance	2
7 Testing of water meters	2
8 Tampering with meter	2
9 Repairs to water meter.....	3
Part 4 Access	3
10 Maintenance of access	3
11 Entry to premises	3
Part 5 Determining water consumption	4
12 General.....	4
13 Testing water meters	4
14 Designated water meter reading cycle.....	4
15 Reading outside designated water meter reading cycle.....	5
16 Estimating consumption.....	5
17 Disputing consumption estimates	6
Part 6 Unmetered premises	6
18 Unmetered premises.....	6
Part 7 Charging	6
19 General.....	6
Part 8 Standpipes.....	6
20 Metered standpipes	6

21	Hire of metered standpipes	7
Part 9	Wasting water	7
22	Prevention of water loss and wastage	7
Part 10	Supply and installation of water meters	8
23	Prescribed activity.....	8
24	Activities that do not require permit.....	8
25	Additional criteria for the granting of permit	8
Part 11	Local government tap water usage.....	8
26	Use of water from a water tap on local government land.....	8

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 14 (Town Water) 2016*.

2 Purpose

The purpose of this local law is to:

- (a) provide for the installation of water meters;
- (b) read water meters;
- (c) provide maintenance to and around water meters;
- (d) calculate water usage;
- (e) estimate water usage;
- (f) charge for water use ~~age charges and use of water infrastructure~~; and
- (g) monitor water loss and wastage.

3 Application

This local law applies to:

- (a) all land identified within a Declared Water Service Area made by a local government resolution under the Water Supply (Safety and Reliability) Act 2008 as shown in the local government's Service Area Mapping infrastructure planning scheme maps as land being or to be serviced by town water; and
- (b) any other premises which is serviced by the local government's reticulated water supply. ~~a town water supply~~.

4 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law 1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
- (b) made under Chapter 3 of the LGA; and
- (c) otherwise in addition to, and does not derogate from, laws otherwise regulating water supply.

Part 2 Ownership

5 Ownership

All water meters used to read or check water consumption of town water are owned by and remain the property of the local government.

Part 3 Maintenance, protection and tampering

6 Maintenance

The local government will maintain all water meters which are the property of the local government.

7 Testing of water meters

- (1) The following persons may request that the local government check the accuracy ~~of or~~ the working of any water meter on payment of a prescribed fee:
 - (a) in respect of a master water meter measuring water supply for a premises group, the body corporate; or
 - (b) in all other cases, the owner of the premises to which the water meter relates.
- (2) If during the test the local government finds that the water meter is out of repair, the local government will refund the prescribed fee unless the malfunctioning of the water meter is due to the tampering, damage or destruction of such water meter by the person that requested the test (with satisfactory evidence to be provided to the local government as to the cause of the tampering, damage or destruction of such water meter if the person that requested the test did not cause the tampering, damage or destruction in order for that person to obtain a refund).
- (3) Where the local government determines that the water meter is ~~out of repair~~ malfunctioning ~~and but that the malfunctioning is not caused by any tampering, damage to or destruction of the water meter as described in per section 7 subsection (2) of this local law~~, the local government will carry out any necessary actions to ensure the water meter is registering accurately ~~unless the malfunctioning of the meter is due to the tampering, damage to or destruction of such meter~~.
- (4) The local government may at any time disconnect any water meter for the purpose of ~~ascertaining determining~~ the accuracy ~~of their working of the water meter. working of such meter~~.

8 Tampering with meter

~~(1) A person must not tamper with, damage or remove a water meter.~~

~~Maximum penalty for subsection (1) – 50 penalty units.~~

~~(2)(1)~~ (1) In addition to any penalty imposed under subsection (1), Where a person has been found to have tampered with a water meter pursuant to breached section 73 of the Plumbing and Drainage Act 2018, that the person in breach shall will also be liable to pay for:

- (a) the water consumed during the period that the water meter was not functioning properly as determined by the local government according to

the process prescribed in section 16 or 18 of this local law, whichever is the greater; and

- (b) the cost of repairing or ~~replacing~~replacement, ~~as the case may be, of~~ the water meter which was ~~so~~ damaged or destroyed.

9 Repairs to water meter

When a water meter installed on a premises or a premises group is out of repair, unreadable or has been ~~stolen or~~ removed, the following persons must give the local government notice ~~in writing~~in the method determined by the local government thereof as soon as they become aware that the meter is out of repair, unreadable or has been ~~stolen or~~ removed:

- (a) the body corporate of a premises group to which the water meter relates;
- (b) the owner of the premises to which the water meter relates; and
- (c) the occupier of premises to which the water meter relates.

Maximum penalty ~~for section 9~~—10 penalty units.

Part 4 Access

10 Maintenance of access

- (1) The owner of a premises to which a water meter is located on shall maintain the area in and around the meter by keeping it free of soil, growth or other ~~matter or~~ obstruction which prevents, or hinders access to the water meter.
- (2) If the owner of a premises to which a water meter is located on fails to maintain the area in and around a water meter under subsection (1), the local government may:
 - (a) issue a compliance notice under section 26 of Local Law No. 1 (Administration) 2016; and
 - (b) charge a fee for any second water meter inspections required in accordance with the local government's adopted fees and charges schedule.

11 Entry to premises

The following persons must ensure that the local government has unobstructed access to any water meter installed on the premises or premises group for the purpose of carrying out its functions in relation to the water meter, including maintenance, repair, replacement and reading of the water meter:

- (a) the body corporate of a premises group to which the water meter relates;
- (b) the owner of the premises to which the water meter relates; ~~or and~~
- (c) the occupier of premises to which the water meter relates.

Maximum penalty ~~for section 11~~—20 penalty units.

Examples of ~~un~~obstructed access:

Locked gate or door through which access is required to maintain, repair, replace or read the water meter.

~~Aggressive d~~Dog on the premises which will not allow access to the water meter ~~by a stranger~~.
A tree or bush growing over the water meter ~~which impend~~esing the local government's ability to maintain, repair, replace or read the water meter.

Part 5 Determining water consumption

12 General

Subject to the ~~other~~ provisions of this Part, the water consumption for a premises or premises group will be determined according to the consumption registered by the primary water meter.

13 Testing water meters

- (1) A person who is dissatisfied with a ~~meter~~ water meter consumption reading may request that the local government test the water meter.
- (2) The local government will carry out a test of the water meter at the and will charge the dissatisfied person a prescribed fee for the test in accordance with the local government's adopted fees and charges schedule. 's cost.
- (3) If the test carried out under subsection (1) shows a reading of, +/-2% higher or less, than the initial water consumption reading of the water meter ~~installed at the premises that was read to determine the initial water consumption~~, the local government will reimburse the cost of carrying out the test of the water meter.
- (4) In addition to the circumstances described in subsection (1), the local government may carry out a test of a water meter in the following circumstances:
 - (a) if it ~~thinks is considered to be reasonable~~fit; or
 - (b) upon application by:
 - (i) where water supply for a premises group is measured by a master meter, the body corporate; or
 - (ii) in all other cases, the owner of the premises to which the test relates.
- (5) A water meter test carried out at the request of the body corporate, or the owner of a premises will be at the cost of the body corporate or the owner, unless it is determined by the local government that the cost should be reimbursed under subsection (3).

14 Designated water meter reading cycle

The local government may from time to time determine the designated water meter reading cycle for primary water meters but may read a primary water meter at any time it is considered necessary.

15 Reading outside designated water meter reading cycle

The local government may, upon application, read a primary water meter outside of the ~~of the~~ designated water meter reading cycle where it is considered necessary.

Example: Where the premises is being sold.

16 ~~Unread meter~~

~~Where the local government has not read a primary meter during the designated meter reading cycle, water consumption for the relevant period will be determined as follows:~~

~~C=D x N~~

~~Where:~~

~~C=consumption for the period the meter was not read;~~

~~D=daily average consumption of a comparative period selected by the CEO or the whole of the previous financial year, whichever is the lowest;~~

~~N=the number of days for the period from the last reading to the reading date of the primary meter.~~

17 16 Estimating consumption

(1) Where the local government is not able to read a primary water meter during the designated water meter reading cycle due to the primary water meter being tampered with, broken, unreadable, inaccessible, obstructed, stolen or removed, the local government shall estimate the water consumption for the relevant period since the previous reading of such meter will be estimated as follows:-

C = D x N

Where:

C = consumption for the period the water meter was not read;

D = daily average consumption of a comparative period selected by the local government or the whole of the previous financial year, whichever is the lowest; and

N = the number of days for the period from the last reading to the reading date of the primary meter.

~~(2) The estimation will be based on the average of the previous four billing periods charged to the owner.~~

(2) When a large variation of consumption has occurred during the previous four billing periods, making the estimation of consumption unreasonable, the local government may take into consideration other evidence for the purpose of arriving determining at a reasonable estimate of water consumption.

~~(4)~~(3) The amount payable by the owner shall be the amount of the estimate as determined by in either subsections (12) or (23), at whichever the local government's ~~discretion decides~~.

1817 Disputing consumption estimates

- (1) Where a charge is levied based upon an estimate of water consumption, the person responsible for the payment may dispute the estimate of the water consumption.
- (2) A person wishing to dispute the estimate of water consumption must advise the local government ~~that the estimate is disputed~~ in writing within 15 working business days of the water consumption notice being issued by the local government. being advised of the estimate of water consumption.
- (3) The local government will undertake a review of the estimate of water consumption and determine whether the estimate is to be varied or whether the estimate is to be confirmed.
- (4) The local government will notify the person in writing of the decision of the review and will ~~including theits~~ reasons for the decision.

Part 6 Unmetered premises

1918 Unmetered premises

Where the local government locates a premise which does not having have a water meter installed, a water meter will be installed at the premises and the premises will be charged for water consumption at the next billing cycle.

Part 7 Charging

2019 General

The Charging of water consumption will be based upon water consumption whether the water meter is read or is estimated for each premises.

Part 8 Standpipes

2120 Metered standpipes

- (1) ~~If the local government resolves to hire metered standpipes, a~~ person, ~~(other than a member for use by of the Queensland Fire and Rescue Authority or Queensland Emergency Services)~~ must not draw water from the local government's reticulated water supply system ~~or hydrants on a water main owned by the local government except unless:~~
 - (a) ~~by the water is drawn by hiring if using of~~ a metered standpipe hired from the local government; or
 - ~~(a)(b)~~ the person is a member of the Queensland Fire and Emergency Service and is drawing the water for firefighting purposes.

Maximum penalty for subsection (1)(a) – 50 penalty units.

~~(2) Metered Standpipes standpipes hired by the local government will be owned by and remain the property of the local government.~~

~~(3)(2) Approval by~~A person may apply to the local government ~~the local government approval~~ to take hire a metered standpipe from water from ~~by the local government by a metered standpipe on from a water main of the local government will only be given if:~~

~~(a) submitting an application to the local government in the approved form;~~

~~(b) providing the information and documents required by the local government; and~~

~~(c) paying the prescribed fee.~~

~~(3) The local government may approve an application under subsection (2) on the conditions the local government considers appropriate.~~

~~(a) the applicant uses a metered standpipe hired from the local government; and~~

~~(b) The applicant hires uses the metered standpipe from the local government in accordance with on the conditions of use imposed by the local government.~~

~~(4) A person The holder of a permit must ensure that the conditions of approval under subsection (3) are complied with.~~

Maximum penalty ~~for subsection (4)~~—50 penalty units.

22 Hire of metered standpipes

~~(1) The hiring of metered standpipes will be subject to the conditions of use.~~

~~(2) The hirer must ensure that the conditions of use are complied with; and~~

~~(3) The hirer must complete the approved form — Long and short term standpipe hire form and T&C's.~~

Maximum penalty for not complying with subsections (1) (3) — 50 penalty units.

Part 9 Wasting water

2321 Prevention of water loss and wastage

(1) ~~Customers, owners and occupiers~~A responsible person for premises shall ~~must not cause, permit or allow water to run unnecessarily from or be to wasted from any pipe, water tap, or other fitting at a property the premises. A person must ensure that all reasonable attempts are made to ensure that any water loss is prevented.~~

Maximum penalty ~~for section 23 22~~—10 penalty units.

- (2) A responsible person for premises must take all reasonable steps to prevent any water loss from any pipe, water tape or other fitting at the premises.
Maximum penalty—10 penalty units.

Part 10 Supply and installation of water meters

2422 Prescribed activity

- (1) ~~The~~ installation of a subsidiary water meter within an existing or approved premises within a premises group is a category 2 prescribed activity.
- (2) To obtain a permit an application must be made to ~~Council~~ the local government on the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.

2523 Activities that do not require permit

Nil.

2624 Additional criteria for the granting of permit

The following criteria ~~are criteria that~~ must be considered in deciding whether or not to grant a permit:

- (a) ~~whether~~ the application ~~has been~~ must be made by the body corporate of a premises group, or if a body corporate has not been created, the original owner of the premises group;
- (b) ~~if it is an individual property,~~ ~~the whether the~~ application ~~must be made~~ has been made by the owner of the property;
- ~~(b)~~(c) whether it will be practical to read the water meter in the proposed location by the local government;
- ~~(e)~~(d) if there is already a master meter installed, then the master meter must be retained;
- ~~(d)~~(e) if a master meter has not been installed, then a check meter will be installed; and
- ~~(e)~~(f) whether payment of the supply fee has been received for the water meter.

Part 11 Local government tap water usage

2725 ~~Not to Use use of~~ water from a water taps on local government land area or road

~~Where a water tap has been installed on a road or on a local government controlled area land under the control of the local government,~~ A person must not take or use ~~such~~ water from a water tap installed on a local government controlled area or road for any use on private property.

Maximum penalty ~~for section 26~~—10 pPenalty units.

CERTIFICATION

~~This and the preceding 7 pages bearing my initials is a certified copy of Cairns Regional Council Local Law No. 14 (Town Water) 2016 made in accordance with the provisions of the Local Government Act 2009, by Cairns Regional Council by resolution dated 27 January 2016.~~

Peter Tabulo

Chief Executive Officer

Cairns Regional Council



**Cairns Regional Council
Local Law No. 15
(Waste Management) 2023**

Current as at

Cairns Regional Council

Local Law No. 15 (Waste Management) 2023

Contents

Part 1 Preliminary.....	1
1 Short title	1
2 Purposes and how they are to be achieved.....	1
3 Relationship with other laws	1
Part 2 Waste management.....	1
4 Designation of areas	1
5 Owner or occupier of premises to supply waste containers	2
6 Requirements for storing general waste in waste containers	2
7 General requirements for keeping waste containers at serviced premises	4
8 Notices on bins.....	5
9 Other requirements for storing general waste at particular serviced premises	5
10 Local government may give notice about removal of general waste	6
11 Depositing or disposal of general waste from premises other than serviced premises	6
12 General waste disposal in public bins	7
13 Requirements for storing industrial waste.....	7
14 Requirement to treat industrial waste for disposal.....	8
15 Littering.....	8
Part 3 Waste receipt and disposal	8
16 Depositing waste at a local government waste facility.....	8
17 Restrictions on burning waste at waste facility	9
18 Restrictions on use of local government waste facility	9
19 Person to comply with directions and give information.....	9

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 15 (Waste Management) 2023*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to protect the public health, safety and amenity related to waste management by:
- (a) regulating the storage, servicing and removal of waste; and
 - (b) regulating the disposal of waste at waste facilities; and
 - (c) protecting the environment and loss of amenity by the community, including preventing:
 - (i) harm to human health, safety and/or personal injury; and
 - (ii) property damage and/or or loss of amenity; and
 - (iii) environmental harm or environmental nuisance.

3 Relationship with other laws

- (1) This local law is:
- (a) in addition to and does not derogate from laws about the management of waste;
 - (b) to be read in conjunction with *Local Law No. 1 (Administration) 2016* which contains provisions and definitions that apply to all local laws;
 - (c) is made under the powers in Chapter 3 of the LGA; and
 - (d) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.
- (2) This local law replaces Chapter 6 (Waste management by local governments) of the *Environmental Protection Regulation 2019*.

Part 2 Waste management

Division 1 Designation of areas for general waste collection

4 Designation of areas

The local government may:

- (a) by resolution, designate areas within its local government area in which the local government may conduct general waste collection; and
- (b) decide the frequency of general waste collection in the designated areas.

Examples of a general waste collection–

A domestic waste, recyclable waste, green waste or food waste collection.

Division 2 General waste

Subdivision 1 Storage of general waste

5 Owner or occupier of premises to supply waste containers

- (1) The owner or occupier of premises must:
- (a) subject to subsection (2), supply standard general waste containers at the premises that are necessary to contain the general waste produced at the premises; or
 - (b) if required by the local government, supply waste containers at the premises, other than standard general waste containers, that are necessary to contain the general waste produced at the premises.

Examples of ways the local government may require waste containers to be supplied for paragraph(1)(b)(i)—

By a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the owner or occupier, or a development approval for the premises.

Maximum penalty— 20 penalty units.

- (2) However, subsection (1)(a) does not apply if the local government supplies to the premises the number of standard general waste containers the local government reasonably considers is required at the premises.
- (3) If the local government supplies a standard general waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the owner or occupier of the premises to the local government.
- (4) However, subsection (3) does not prevent the local government from supplying a standard general waste container to premises without cost to the owner or occupier of the premises.

6 Requirements for storing general waste in waste containers

- (1) The occupier of premises must:
- (a) store general waste produced as a result of the ordinary use or occupation of the premises in a standard general waste container; and
 - (b) keep each waste container clean and in good repair;
 - (c) ensure that each waste container is securely covered, other than to place waste in or remove waste from the container or to clean the container; and

Example for paragraph (c) —

The waste container is overfull and the lid is not fully closed.

- (d) comply with any other conditions imposed by the local government for the storage of general waste.

Maximum penalty—20 penalty units.

- (2) A person must not:

- (a) place any of the following in a waste container:
 - (i) a liquid, semi-liquid or moist substance, unless the substance is securely wrapped or contained to prevent the substance leaking from the wrapper or container; or
 - (ii) material that is smoldering or aflame; or
 - (iii) matter or a thing that is alive; or
- (b) remove or disturb the cover of a waste container other than to place waste in the container or to clean the container; or
- (c) use or damage a waste container so that it is not weatherproof or serviceable or cannot be securely covered; or
- (d) disturb or otherwise interfere with the contents of a waste container; or
- (e) if a waste container is set aside by the local government for the storage of 1 or more types of waste— place in the waste container a matter or thing other than the type or types of waste for which the waste container is set aside.

Example for paragraph (e) —

Placing waste that is not recyclable waste in a waste container which is set aside by the local government for the storage of recyclable waste.

Maximum penalty—20 penalty units.

- (3) The occupier of the premises must ensure that a person does not place anything in a waste container at the premises in contravention of subsection (2)(a).

Maximum penalty—20 penalty units.

- (4) In a proceeding for an offence against subsection (2)(a)(i), (b), (c) or (d), it is a defence for a person to prove that the contravention occurred with the consent of the local government.
- (5) In a proceeding for an offence against subsection (3), it is a defence for a person to prove that the contravention:
 - (a) was due to circumstances over which the person had no control; or
 - (b) occurred with the consent of the local government.
- (6) The local government, an authorised person, and another person, with the consent of the local government, may inspect waste containers, including, for example, the content of standard general waste containers, to establish whether there is compliance with:
 - (a) the requirements of this local law; or
 - (b) the requirements of a compliance notice.
- (7) A person undertaking an inspection under subsection (6) may, in relation to any thing that may be inspected:
 - (a) inspect, test, photograph, videotape or otherwise examine the thing; and
 - (b) take samples of or from the thing; and

- (c) take onto the place at which the inspection is being undertaken, any persons, equipment and materials that the person reasonably requires for exercising the powers of the person.

7 General requirements for keeping waste containers at serviced premises

- (1) Subject to subsection (2), the occupier of serviced premises must ensure that a waste container supplied for the premises is kept:

- (a) if the local government requires the container to be kept at a particular place at, or in close proximity to, the premises— at the place (the **waste container storage place**); or

Examples of ways the local government may require waste containers to be kept at a particular place—

By a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises.

- (b) otherwise— at ground level close to the rear alignment of a building at the premises.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not prevent the occupier of the serviced premises from placing a waste container in a place outside the premises for the collection of general waste from the container, if:

- (a) the local government has arranged to collect waste from the container at the place; and
- (b) the container is in the place allowed for by the local government for the collection of waste, for no longer than 24 hours before or after the scheduled collection day for the collection of the waste in the container.

Example of a place outside serviced premises:

The kerb adjacent to the serviced premises.

- (3) It is an offence for the occupier of serviced premises not to comply with subsection (2)(b).

Maximum penalty—20 penalty units.

- (4) If an authorised person reasonably believes that an occupier of serviced premises has contravened subsection (2)(b), the authorised person may give a verbal direction to the person to remedy the contravention.

- (5) A person who is given a verbal direction under subsection (4) must comply with the verbal direction.

Maximum penalty—20 penalty units.

- (6) An authorised person may, by compliance notice given to the occupier of serviced premises, require the occupier to comply with subsection (2)(b) to the extent specified in the notice.

- (7) If the local government has arranged for the collection of general waste from a waste container at serviced premises, the occupier of the premises must ensure there is unobstructed access to the container for removal of the waste.

Maximum penalty—20 penalty units.

- (8) It is a defence in the proceeding against a person for an offence under subsection (7) for the person to prove the contravention was due to causes over which the person had no control.

8 Notices on bins

- (1) A person must not place or attach to a general waste container, a notice, poster, sign or any other similar material or deface such a container in any other manner.

Maximum penalty—20 penalty units.

9 Other requirements for storing general waste at particular serviced premises

- (1) This section applies to any of the following persons (each a **prescribed person**) for particular serviced premises:

- (a) the owner or occupier of the premises; or
- (b) if a prescribed ERA is carried out at the premises— the registered suitable operator for the prescribed ERA.

- (2) The prescribed person must ensure that the waste container storage place for the particular serviced premises is supplied with:

- (a) if required by the local government, each of the following—
 - (i) either:
 - (A) an elevated stand at a level required by the local government for holding all waste containers; or
 - (B) an imperviously paved area, drained as required by the local government, where all waste containers can be placed;
 - (ii) a hose cock and hose in the vicinity of the stand or paved area;
 - (iii) a suitable enclosure for the area where the waste containers are kept; and
 - (iv) the facilities and/or structures for the placement, storage and cleaning of waste containers considered reasonably necessary for the waste container storage place.

Examples of ways the local government may require a prescribed person to comply with subsection (2)(a) —

By resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the prescribed person, or a development approval for the premises.

Maximum penalty— 20 penalty units.

- (3) In this section—

particular serviced premises means serviced premises other than a single detached dwelling.

Subdivision 2 Removal of general waste

10 Local government may give notice about removal of general waste

- (1) This section applies where the local government has arranged for the removal of general waste produced at a premises.
- (2) The local government may give the occupier of the premises a written notice stating:
 - (a) the days on which the waste is to be collected (the ***scheduled collection day***); and
 - (b) the location where the waste container is to be placed for collection of the waste (the ***collection location***); and
 - (c) the time by which the waste container is to be placed in the collection location for collection of the waste (the ***scheduled collection time***); and
 - (d) the time by which the waste container is to be removed from the collection location.

11 Depositing or disposal of general waste from premises other than serviced premises

- (1) This section applies if general waste is produced at a premises, other than serviced premises.
- (2) The local government may:
 - (a) give a written approval to the owner or occupier of the premises for depositing or disposing of the waste; and
 - (b) impose conditions on the approval, including, for example, conditions about:
 - (i) the place for depositing or disposing of the waste; or
 - (ii) the method of depositing or disposing of the waste.
- (3) A person must not deposit or dispose of the waste unless the person deposits or disposes of the waste:
 - (a) at a waste facility; or
 - (b) in accordance with:
 - (i) an approval under subsection (2) for disposal of the waste; and
 - (ii) if the approval has been given on conditions— the conditions of the approval.

Maximum penalty— 20 penalty units.

Subdivision 3 General waste disposal in public bins

12 General waste disposal in public bins

- (1) If general waste is produced as a result of the ordinary use or occupation of commercial premises, a person must not deposit or dispose of the general waste in a public bin supplied by the local government.

Maximum penalty—20 penalty units.

- (2) If general waste is produced as a result of the ordinary use or occupation of domestic premises, a person must not deposit or dispose of the general waste in a public bin supplied by the local government.

Maximum penalty—20 penalty units.

- (3) A person must not, without the consent of the local government, disturb, remove, or otherwise interfere with, the contents, for example, the waste, in a public bin supplied by the local government.

Maximum penalty—20 penalty units.

Division 3 Storage and treatment of industrial waste

13 Requirements for storing industrial waste

- (1) The occupier of premises where there is industrial waste must, if required by the local government:

- (a) supply at the premises the number of industrial waste containers required by the local government for storing the waste at the premises safely, efficiently and without causing a nuisance; and
- (b) keep the waste containers at the particular place at the premises required by the local government; and
- (c) keep each waste container clean and in good repair; and

Examples of ways the local government may require compliance with subsection (1)(a)—

By resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises.

Maximum penalty—20 penalty units.

- (2) The local government may supply industrial waste containers at the premises if the occupier does not supply at the premises the number of industrial waste containers which are required by the local government under subsection (1)(a).
- (3) If the local government supplies an industrial waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the occupier of the premises to the local government.

14 Requirement to treat industrial waste for disposal

- (1) The occupier of premises where there is industrial waste must, if required by the local government, treat the waste to a standard approved by the local government:

- (a) for disposal of the waste at a waste facility; or
- (b) for transport to, and disposal of the waste at, a waste facility; and

Examples of ways the local government may require an occupier to treat industrial waste for disposal —

By resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises.

Maximum penalty—40 penalty units.

Division 6 Littering

15 Littering

- (1) A person must not deposit or place domestic waste, commercial waste or industrial waste on land other than at a waste facility approved for that purpose.

Maximum penalty—30 penalty units.

- (2) A person must not place any waste other than litter in a container caused to be placed by the local government on or in any local government controlled area or road for the purpose of the storage of waste.

Maximum penalty—30 penalty units.

Part 3 Waste receipt and disposal

16 Depositing waste at a local government waste facility

- (1) A person must not deposit the following waste at a local government waste facility:

- (a) liquid or semiliquid waste;
- (b) hot ash;
- (c) material that is smoldering or aflame;
- (d) material that can spontaneously combust;
- (e) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;
- (f) an explosive; or
- (g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not apply to waste deposited with the consent of each of the owner of the waste facility and:
- (a) a person who:
 - (i) is the registered suitable operator for the facility; or
 - (ii) holds an environmental authority for the facility; or
 - (b) the person in charge of the facility.
- (3) A person must not deposit at a local government waste facility, any dangerous or hazardous material or material that is likely to cause a danger or hazard to public health or safety in the reasonable opinion of an authorised person.
- Maximum penalty—40 penalty units.

17 Restrictions on burning waste at waste facility

A person must not set fire to, or burn, waste at a local government waste facility other than:

- (a) under an environmental authority; or
- (b) under a development condition of a development approval; or
- (c) under the *Fire and Emergency Services Act 1990*.

Maximum penalty—20 penalty units.

18 Restrictions on use of local government waste facility

(1) A person must not, without the consent of the local government:

- (a) enter the waste facility other than to deposit waste; or
- (b) remain on the facility after depositing waste; or
- (c) interfere with waste at, or remove waste from, the facility.

Maximum penalty—10 penalty units.

(2) Subsection (1) does not apply to:

- (a) the owner of the facility; or
- (b) if the operator of the facility has the approval of the owner of the facility—the operator of the facility; or
- (c) an authorised person; or
- (d) a person who acquires from a waste facility, with the consent of the local government:
 - (i) recyclable waste, for example, mulch or green waste; or
 - (ii) 1 or more items of waste which are made available for sale or disposal by the local government, for example, at a “buy back shop”.

19 Person to comply with directions and give information

(1) This section applies to a person who transports and delivers waste to a local government waste facility.

- (2) The person must:
- (a) comply with all relevant and reasonable directions contained in any sign displayed at the facility by a facility person; and
 - (b) comply with all reasonable instructions about dealing with the waste at the waste facility which are given by a facility person; and
 - (c) if asked by a facility person— give information to the facility person about the type and amount of waste being delivered to the facility; and
 - (d) if asked by a facility person— give information to the facility person that provides satisfactory evidence of the identity and residential address of the person.

Maximum penalty—10 penalty units.

- (3) In this section, for a waste facility, **facility person** means each of the following:
- (a) the owner of the facility;
 - (b) if the operator of the facility has the approval of the owner of the facility— the operator of the facility;
 - (c) if the person in charge of the facility has the approval of the owner of the facility—the person in charge of the facility.