

# Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019

## Contents

---

- Part 1 Preliminary.....2**
  - 1 Short title..... 2
  - 2 Purpose and how it is to be achieved..... 2
  - 3 Authorising local law ..... 2
  - 4 Definitions ..... 2
  
- Part 2 Use of local government controlled areas, facilities and roads.....2**
  - 5 Prohibited and restricted activities—Authorising local law, s 5(1)..... 2
  - 6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)..... 2
  - 7 Prohibited vehicles—Authorising local law, s 6(3)..... 3
  - 8 Opening hours for local government controlled areas—Authorising local law, s 7(1)..... 3
  - 9 Permanent closure of local government controlled area—Authorising local law, s 8(3)..... 3
  
- Part 3 Matters affecting roads.....3**
  - 10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3) ..... 3
  
- Part 4 Repeal .....4**
  - 11 Repeal of subordinate local law..... 4
  
- Schedule 1 Prohibited activities for local government controlled areas or roads .....5**
  
- Schedule 2 Restricted activities for local government controlled areas or roads .....18**
  
- Schedule 3 Motor vehicle access areas in local government controlled areas28**
  
- Schedule 4 Opening hours for local government controlled areas.....29**
  
- Schedule 5 Permanent closure of local government controlled areas .....30**
  
- Schedule 6 Identification of local government controlled areas .....31**
  
- Schedule 7 Dictionary.....33**

## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019*.

### **2 Purpose and how it is to be achieved**

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* in order 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—
  - (a) the regulation of access to local government controlled areas; and
  - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

### **3 Authorising local law**

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* (the *authorising local law*).

### **4 Definitions**

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

## **Part 2 Use of local government controlled areas, facilities and roads**

### **5 Prohibited and restricted activities—Authorising local law, s 5(1)**

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

### **6 Motor vehicle access in local government controlled areas—Authorising**

**local law, s 6(1)(b)**

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

**7 Prohibited vehicles—Authorising local law, s 6(3)**

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

**8 Opening hours for local government controlled areas—Authorising local law, s 7(1)**

- (1) For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.
- (2) However, the local government may, from time to time, by resolution, declare other times when a local government controlled area is open to the public.

**9 Permanent closure of local government controlled area—Authorising local law, s 8(3)**

For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

**Part 3 Matters affecting roads****10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3)**

For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are as follows—

- (a) the fence must be constructed of materials which are of sufficient strength to—
  - (i) restrain the types of animals to be contained in the area adjacent to the fence; and
  - (ii) stop the animals from escaping over, under or through the fence; and
- (b) the height of the fence must be sufficient to restrain the types of animals to be contained in the area adjacent to the fence from jumping or climbing over the fence; and
- (c) if an animal to be contained in the area adjacent to the fence has the ability to dig — the fence must include a barrier installed directly below the fence to prevent the animal digging its way underneath the fence; and
- (d) if the fence includes a gate — the gate must be kept closed and latched except when in immediate use by a person entering or leaving the area adjacent to

the fence.

## **Part 4                    Repeal**

### **11    Repeal of subordinate local law**

This subordinate local law repeals *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, and Roads) 2011*.

## Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

	<b>Column 1</b> <b>Local government controlled area or road</b>	<b>Column 2</b> <b>Prohibited activity</b>
1	All local government controlled areas within the local government area.	<p>(a) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(b) Carrying or displaying a placard or other sign bearing an offensive or threatening message or image;</p> <p>(c) Injuring, misusing, defacing, marking or otherwise damaging a building or structure which is owned, held in trust or otherwise controlled by the local government;</p> <p>(d) Entering or interfering with a building or structure associated with the water supply system, stormwater drain system or sewerage system of the local government unless the person entering or interfering with the building or structure is an emergency services officer entering or interfering with the building or structure in the course of his or her duties as an emergency services officer;</p> <p>(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</p>

		<p>(f) Parking, leave standing, or operating an unregistered vehicle;</p> <p>(g) If land adjoins, or is adjacent to, a local government controlled area – the occupier of the land leaving, or causing to be left, a standard general waste container on the local government controlled area—</p> <p>(i) outside of the time frame specified in the local government’s relevant policy and procedure about the scheduled collection day for the standard general waste container; or</p> <p>(ii) in a manner that is likely, in an authorised person’s opinion, to cause—</p> <p>(A) harm to human health or safety, or personal injury; or</p> <p>(B) property damage or a loss of amenity; or</p> <p>(C) an environmental nuisance;</p> <p>(h) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(i) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
--	--	---

2	All roads within the local government area.	<ul style="list-style-type: none"> <li>(a) Causing an offensive liquid, sediment or substance to be discharged onto a road;</li> <li>(b) Intentionally or negligently damaging a road or a structure associated with a road;</li> <li>(c) Creating a nuisance on a road;</li> <li>(d) Camping, sleeping, occupying or remaining overnight in a vehicle stopped on a footpath, shared path, water-channel or gutter;</li> <li>(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</li> <li>(f) Parking, leave standing or operating an unregistered vehicle on a road;</li> <li>(g) If land adjoins, or is adjacent to, a road — the occupier of the land leaving, or causing to be left, a standard general waste container on the road— <ul style="list-style-type: none"> <li>(i) outside of the time frame specified in the local government’s relevant policy and procedure for the scheduled collection day for the standard general waste container; or</li> <li>(ii) in a manner that is likely, in an authorised person’s opinion, to cause —</li> </ul> </li> </ul>
---	---	--

		<p>(A) harm to human health or safety, or personal injury; or</p> <p>(B) property damage or a loss of amenity; or</p> <p>(C) an environmental nuisance;</p> <p>(h) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(i) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
3	Each area of land which is declared, under <i>Local Law No. 5 (Parking) 2011</i> , as an off-street regulated parking area.	Parking or leave standing, an unregistered vehicle.
4	All local government cemeteries within the local government area, including each local government cemetery identified in schedule 6.	<p>(a) Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery;</p> <p>(b) Selling or buying any article or thing;</p> <p>(c) Distributing or putting up any handbill, card, circular or advertisement;</p> <p>(d) Interfering with any tree, shrub or plant unless the activity is undertaken by, or on behalf of, the local government;</p> <p>(e) Taking part in any meeting other than a meeting of a religious or commemorative nature;</p> <p>(f) Discharging a firearm, except at a military or police funeral or other recognised type of funeral service ordinarily involving such discharge;</p>



		<p>(g) Damaging or disturbing or interfering with any memorial, inscription plaque, epitaph or inscription, or any flowers or tokens placed on or adjacent to a grave or niche, unless the activity is undertaken by, or on behalf of, the local government for maintenance, health or safety purposes;</p> <p>(h) Riding or driving or permitting to be ridden or driven, any vehicle of any description or any horse otherwise than on a paved roadway or path;</p> <p>(i) Engaging in conduct which is dangerous or creates a risk to the safety of members of the public;</p> <p>(j) Deliberately or recklessly damaging or destroying any building, fence, structure, improvement or other property;</p> <p>(k) Bringing an animal (other than a certified guide, hearing or assistance dog) into or allowing an animal (other than a certified guide, hearing or assistance dog) to be within a local government cemetery (other than for the purposes of a funeral or commemorative service);</p> <p>(l) Entering or being within a local government cemetery except for the purpose of visiting a grave or memorial, attending a funeral or religious celebration, for example a wedding or a christening, or maintaining or repairing a grave or memorial in</p>
--	--	---

		accordance with a written authorisation of the chief executive officer.
5	All parks and reserves within the local government area.	<p>(a) Entering or being within a park or reserve after sunset on a day or before sunrise on a day unless the local government has installed lighting at the park or reserve to facilitate the use of the park or reserve by the public during the hours from sunset to sunrise and the lighting is operational;</p> <p>(b) Damaging or interfering with vegetation unless the activity is being undertaken for maintenance, health or safety purposes by, or on behalf of, the local government;</p> <p>(c) Throwing a stone, projectile or other missile;</p> <p>(d) Using or carrying a trap, snare or net;</p> <p>(e) Hitting a golf ball;</p> <p>(f) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(g) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(h) Interfering with a plant or any turf, sand, clay, soil or other material unless the activity is undertaken by, or on behalf of, the local government;</p> <p>(i) Interfering with any facility or equipment located at the park or reserve unless the</p>

		<p>activity is undertaken by, or on behalf of, the local government;</p> <p>(j) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(k) Depositing, storing or abandoning any goods;</p> <p>(l) Bathing in any ornamental pond or lake;</p> <p>(m) Using a boat, canoe, craft, surf ski, surf board or other recreational floating device in an ornamental pond or lake;</p> <p>(n) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a facility in a park or reserve;</p> <p>(o) Permitting or allowing a water tap in a park or reserve to run water to waste;</p> <p>(p) Propagating or cultivating any plant, vegetation or vegetative matter;</p> <p>(q) Driving a motor bike (as defined in section 11A of the <i>Summary Offences Act 2005</i>) on public land forming part, or the whole, of a park or reserve.</p>
6	All local government accommodation parks within the local government area.	<p>(a) Disposing of liquid waste other than at a drainage point provided for that purpose;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Riotous, disorderly, indecent, offensive,</p>

		<p>threatening or insulting behaviour;</p> <p>(e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(f) Interfering with a plant or any turf, sand, clay, soil or other material unless the activity is being undertaken by, or on behalf of, the local government;</p> <p>(g) Interfering with any facility or equipment located at the local government accommodation park unless the activity is being undertaken by, or on behalf of, the local government;</p> <p>(h) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
7	The boat ramps and landings within the local government area identified in schedule 6.	<p>(a) Carrying out maintenance or repairs to a ship on a boat ramp;</p> <p>(b) The activity of a person carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse;</p> <p>(c) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon a boat ramp, landing or a notice erected or displayed by the local government at a boat ramp or landing;</p> <p>(d) Wilfully damaging any lighting upon a boat ramp or a landing;</p>

		<ul style="list-style-type: none"><li>(e) Riding an animal on a boat ramp or a landing;</li><li>(f) Fishing from a boat ramp or a landing in a manner that obstructs or impedes, or is likely to obstruct or impede, ship, vehicular or pedestrian traffic on the boat ramp or landing;</li><li>(g) Carrying a loaded or cocked spear gun on a boat ramp or a landing;</li><li>(h) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;</li><li>(i) Diving off a boat ramp or a landing;</li><li>(j) A person causing themselves or any other person or object to fall or be projected into waters surrounding a boat ramp or a landing;</li><li>(k) Obstructing another person's use of a boat ramp or landing;</li><li>(l) Using a boat ramp or landing in a manner which is inconsistent with —<ul style="list-style-type: none"><li>(i) the safe, secure and efficient operation of the boat ramp or landing; or</li><li>(ii) the protection of the environment at the boat ramp or landing; or</li><li>(iii) the maintenance or improvement of the convenience of users of the boat ramp or landing;</li></ul></li><li>(m) Cleaning or gutting a fish on or near a boat ramp or landing;</li></ul>
--	--	--

		<p>(n) Disposing of fish scraps or other waste other than in a waste container provided by the local government for the purpose of the collection of waste;</p> <p>(o) Behaving in a manner which is likely to encourage a crocodile or shark attack.</p>
8	All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6.	<p>(a) Bringing any glass or any item made from glass into the swimming pool;</p> <p>(b) Bringing any animal onto the land on which the swimming pool is situated unless the animal is a certified guide, hearing or assistance dog;</p> <p>(c) Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool;</p> <p>(d) Causing wilful damage to the swimming pool or any facilities at the swimming pool;</p> <p>(e) Behaving in a way that endangers the safety of, or causes a nuisance to, other users of the swimming pool;</p> <p>(f) If a person is more than 5 years of age — entering any part of the facilities at the swimming pool which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance;</p> <p>(g) Entering the swimming pool whilst intoxicated or under the influence of a stupefying drug;</p>

		<p>(h) Entering the swimming pool whilst carrying or having possession of any alcohol or a stupefying drug;</p> <p>(i) Disposing of waste other than in a waste container provided by the local government or the operator of the swimming pool for the purpose of the collection of waste;</p> <p>(j) Entering into the swimming pool if the person has an infectious or contagious disease or illness or a skin complaint;</p> <p>(k) Interfering with the property of another person at the swimming pool other than with the consent of the other person;</p> <p>(l) Entering the swimming pool unless the person has paid the entrance fee prescribed by the local government from time to time for entry to the swimming pool;</p> <p>(m) Behaving in a threatening, abusive or insulting manner to another person at the swimming pool;</p> <p>(n) Leaving a child or children under the age of 10 at the land on which the swimming pool is located otherwise than under the direct supervision of a person who is a parent or guardian of the child or children and aged at least 16.</p>
9	All local government offices, libraries and depots within the local government area, including each local government office, library and depot identified in schedule 6.	(a) Obstructing or interfering with a person who is a local government employee or a contractor of the local

		<p>government in the performance of the duties of the person;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(f) Interfering with any facility or equipment located at the local government office, library or depot;</p> <p>(g) Depositing, storing or abandoning any goods;</p> <p>(h) Any activity which fouls, litters, pollutes or interferes with the local government office, library or depot or a facility in the local government office, library or depot;</p> <p>(i) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government office, library or depot or a notice erected or displayed by the local government at the office, library or depot;</p> <p>(j) Using any part of the local government office, library or depot in a manner which is inconsistent with—</p>
--	--	---



		<p>(i) the safe, secure and efficient operation of the local government office, library or depot; or</p> <p>(ii) the maintenance or improvement of the convenience of users of the local government office, library or depot.</p>
--	--	---

## Schedule 2      Restricted activities for local government controlled areas or roads

Section 5(2)

	<b>Column 1 Local government controlled area or road</b>	<b>Column 2 Restricted activity</b>	<b>Column 3 Extent of restriction</b>
1	All local government controlled areas within the local government area.	<p>(a) Street performing.</p> <p>(b) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.</p> <p>(c) Camping, sleeping, occupying or remaining overnight.</p>	<p>(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(c) Permitted only if—</p> <p>(i) the local government controlled area is an accommodation park; or</p> <p>(ii) the undertaking of the restricted activity is authorised by a notice erected by the local government on or near the local government controlled area.</p>

2	All roads within the local government area.	<p>(a) The washing or cleansing, painting, repairing, alteration or maintenance of vehicles on a road' (see s.66(3)(b) of the <i>Transport Operations (Road Use Management) Act 1995</i>, which permits local laws to regulate these activities on roads).</p> <p>(b) Installing a gate and grid across a road.</p> <p>(c) Being a responsible person for a gate or a grid, or a gate and a grid, installed across a road.</p> <p>(d) Street performing.</p> <p>(e) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.</p>	<p>(a) Permitted only if the vehicle is temporarily disabled with a minor fault and the driver of the vehicle stops for no longer than is necessary for the performance of maintenance work limited to the minimum necessary to allow the vehicle to be moved from the road.</p> <p>(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(c) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(e) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p>
3	All local government cemeteries within the local government area including each local government cemetery identified in schedule 6.	<p>(a) Carrying out a burial outside the hours during which burials may be performed as fixed by the local government.</p> <p>(b) Disposing of human remains in a local government cemetery.</p>	<p>(a) Permitted only—</p> <p>(i) between the hours of 9am and 4pm; or</p> <p>(ii) with the written authorisation of an authorised person.</p> <p>(b) Permitted only with the written authorisation of an authorised person.</p>

		<p>(c) Digging or preparing a grave in a local government cemetery.</p> <p>(d) After a burial — reopening a grave for a further burial.</p> <p>(e) Exhuming a body or the remains of a body which has been buried in a local government cemetery.</p> <p>(f) Bringing human remains into a local government cemetery.</p> <p>(g) Erecting or installing a memorial to a deceased person in a local government cemetery.</p> <p>(h) Reserving a niche or site in a local government cemetery.</p> <p>(i) Carrying out maintenance or repair work on a memorial to a deceased person in a local government cemetery.</p>	<p>(c) Permitted only if the grave is dug or prepared by a person employed by the local government.</p> <p>(d) Permitted only with the written authorisation of an authorised person.</p> <p>(e) Permitted only with the written authorisation of the chief executive officer of an local government.</p> <p>(f) Permitted only—</p> <p>(i) with the written authorisation of an authorised person; and</p> <p>(ii) if the remains are enclosed in a coffin or other form of approved container appropriate to the proposed form of disposal.</p> <p>(g) Permitted only with the written authorisation of an authorised person.</p> <p>(h) Permitted only under the conditions of a written authorisation of an authorised person.</p> <p>(i) Permitted only—</p> <p>(i) by a member of the family of the deceased person, or another person who has a proper interest in the maintenance of the memorial to the deceased person; and</p>
--	--	--	---

			<ul style="list-style-type: none"> <li>(ii) with the written approval of the holder of the burial rights for the memorial; and</li> <li>(iii) subject to conditions about how the work is to be carried out as are included in the written authorisation of an authorised person.</li> </ul>
4	All parks and reserves within the local government area.	<ul style="list-style-type: none"> <li>(a) Bringing a motor vehicle onto , or driving a motor vehicle on, a park or reserve</li> <li>(b) Lighting or maintaining a fire.</li> <li>(c) Sleeping, occupying or remaining overnight in a park or reserve.</li> <li>(d) Conducting a social gathering or meeting of more than 50 people.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Permitted only if the part of the park or reserve on which the motor vehicle is brought or driven is — <ul style="list-style-type: none"> <li>(i) physically defined and constructed by the local government as a road; or</li> <li>(ii) constructed by the local government as a carpark.</li> </ul> </li> <li>(b) Permitted only if the fire is— <ul style="list-style-type: none"> <li>(i) lit and maintained in a fireplace established by the local government for the purpose; or</li> <li>(ii) lit and maintained in accordance with the written authorisation of the chief executive officer of the local government.</li> </ul> </li> <li>(c) Permitted only with the written authorisation of the chief executive officer of the local government.</li> <li>(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.</li> </ul>

		<p>(e) Erecting or installing a building, structure or facility in, on, across or over a park or reserve.</p> <p>(f) Conducting or taking part in an organised sporting activity of regional, State or national significance.</p> <p>(g) Operating a model aircraft propelled by a motor.</p> <p>(h) Using a megaphone, loud speaker, or other similar amplification device .</p> <p>(i) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.</p>	<p>(e) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(f) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(g) Permitted only if —</p> <p>(i) the place at which the activity is to be undertaken is a place at which the local government has approved the undertaking of the activity; and</p> <p>(ii) authorised under the conditions of an approval for a prescribed activity.</p> <p>(h) Permitted only —</p> <p>(i) with the written authorisation of the chief executive officer of the local government; or</p> <p>(ii) if authorised under the conditions of an approval for a prescribed activity.</p> <p>(i) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p>
--	--	---	---

5	All local government accommodation parks within the local government area.	<p>(a) Lighting or maintaining a fire in the open.</p>	<p>(a) Permitted only —</p> <ul style="list-style-type: none"> <li>(i) if the fire is in a fireplace or incinerator approved for the purpose by the local government; or</li> <li>(ii) with the written authorisation of an authorised person.</li> </ul>
		<p>(b) Camping, sleeping, occupying or remaining overnight in a caravan or complementary accommodation at an accommodation site at a local government accommodation park.</p>	<p>(b) Permitted only if—</p> <ul style="list-style-type: none"> <li>(i) the person undertaking the activity maintains the accommodation site and any caravan or complementary accommodation on the accommodation site in a clean and sanitary condition; and</li> <li>(ii) the person deposits all waste in a waste container, or a waste disposal system, provided by the local government for the purpose; and</li> <li>(iii) the person does not use facilities at the local government accommodation park in a way that makes them unclean or unsanitary; and</li> <li>(iv) the person who occupies the accommodation site allows onto the site no more persons than the limit fixed under a relevant approval or as notified by notice displayed by the local government at the local government accommodation park;</li> </ul>

			<p>and</p> <p>(v) the person pays all fees, if applicable, for use of the accommodation site in advance to the local government; and</p> <p>(vi) if required by the local government or an Act—the person enters into a written agreement with the local government about undertaking the activity at the local government accommodation park; and</p> <p>(vii) at the end of the period of occupation of the accommodation site — the person vacates and leaves the accommodation site in a clean and tidy condition; and</p> <p>(viii) the person ensures that the caravan or complementary accommodation is not let or hired to another person; and</p> <p>(ix) the person ensures that the accommodation site is kept and maintained in good repair and clean, tidy and sanitary condition; and</p> <p>(x) the person ensures that the accommodation site is not left unoccupied for more than 2 days; and</p> <p>(xi) the person ensures that not more than 1 tent or other accommodation occupies an accommodation site at the accommodation</p>
--	--	--	--



			<p>park; and</p> <p>(xii) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government accommodation park.</p>
6	The boat ramps and landings within the local government area identified in schedule 6.	<p>(a) Driving or standing a vehicle on a boat ramp.</p> <p>(b) Launching or retrieving a ship at a boat ramp.</p> <p>(c) Anchoring, mooring or placing a ship in the water around a boat ramp or a landing.</p> <p>(d) Carrying out the rigging of a sailing ship on a boat ramp or landing.</p> <p>(e) Taking or driving a vehicle onto a boat ramp.</p>	<p>(a) Permitted only to launch or retrieve a ship from the boat ramp.</p> <p>(b) Permitted only if the person launching or retrieving the ship does so as quickly as is reasonably possible.</p> <p>(c) Permitted only if the anchoring, mooring or placing of the ship is not likely to obstruct another person's use of the boat ramp or landing.</p> <p>(d) Permitted only if the carrying out of the rigging does not, or is not likely to, impede access to the boat ramp or landing.</p> <p>(e) Permitted only if the mass of the vehicle and its load (if any), together with any trailer that the vehicle is towing and its load (if any), is not more than—</p> <p>(i) 5 tonnes; or</p> <p>(ii) if the local government erects on or near the boat ramp a notice approved by the local government and displaying a greater mass—the greater mass.</p>

		<p>(f) Taking or driving a vehicle onto a landing.</p>	<p>(f) Permitted only if—</p> <p>(i) the local government erects on or near the landing a notice that—</p> <p>(A) is approved by the local government; and</p> <p>(B) authorises the taking or driving of a vehicle on the landing for the purpose mentioned in paragraph (ii); and</p> <p>(C) states the maximum mass of the vehicle and its load (if any) together with any trailer that the vehicle is towing and its load (if any) that may be taken or driven on the landing; and</p> <p>(ii) the vehicle is taken or driven on the landing only to take goods or passengers to, or pick up goods or passengers from, a ship moored at the landing.</p>
		<p>(g) Taking or driving a vehicle onto a boat ramp or landing.</p>	<p>(g) Permitted only if the vehicle moves on wheels fitted with pneumatic or rubber tyres.</p>
7	All local government offices, libraries and depots within the local government area, including each local government office, library and depot	<p>(a) The activity of a person bringing onto, or permitting or allowing an animal to remain on, the local government office, library or depot.</p>	<p>(a) Permitted only if—</p> <p>(i) the animal is a certified guide, hearing or assistance dog; and</p> <p>(ii) the person is the handler of the certified guide, hearing or assistance dog.</p>

	identified in schedule 6.	(b) Entering or remaining at a local government office, library or depot, or a part of a local government office, library or depot.	(b) Permitted if—  (i) the local government office, library or depot, or relevant part of the local government office, library or depot, is a public place; and  (ii) if the local government erects on or near the local government office, library or depot, or the relevant part of the local government office, library or depot, a notice that is approved by the local government which authorises entry to the local government office, library or depot, or the relevant part of the local government office, library or depot—the person complies with the requirements of the notice.
--	---------------------------	---	---

**Schedule 3      Motor vehicle access areas in local government controlled areas**

Sections 6 and 7

<b>Column 1</b> <b>Motor vehicle access areas</b>	<b>Column 2</b> <b>Prohibited vehicles</b>
No motor vehicle access area declared.	

## Schedule 4      Opening hours for local government controlled areas

### Section 8

<b>Column 1</b> <b>Local government controlled area</b>	<b>Column 2</b> <b>Opening hours<sup>1</sup></b>
All parks and reserves in the local government area.	Between the hours of sunrise and sunset, unless the local government has installed lighting at the park or reserve to facilitate the use of the park or reserve by the public during the hours from sunset to sunrise and the lighting is operational.

---

<sup>1</sup> Public holidays excepted.

**Schedule 5      Permanent closure of local government  
controlled areas**

Section 9

No local government controlled area described.

## Schedule 6 Identification of local government controlled areas

### Section 5

#### Local government cemeteries

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Bajool Cemetery	Operating Cemetery	18 School Street, Bajool	2	SP163920
Gracemere Cemetery	Operating Cemetery	Corner Fisher and Bland Streets, Gracemere	326 1	LN2897 SP163921
North Rockhampton Cemetery	Operating Cemetery	Yaamba Road, Norman Gardens	235	LN2505
Mt Morgan Cemetery	Operating Cemetery	Burnett Highway, Mt Morgan	184	C8190
Rockhampton Memorial Gardens	Operating Cemetery	21 Hartington Street, Lakes Creek	62	CP891377
South Rockhampton Cemetery	Closed Cemetery	113-171 Upper Dawson Road, Allenstown	1	RP604898

#### Boat ramps and landings

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
North bank of Fitzroy River	Boat Ramp	Reaney Street, Berserker		
North bank of Fitzroy River	Boat Ramp	Reaney Street, The Common		
North bank of Fitzroy River	Boat Ramp	Larcombe Street		
South bank of Fitzroy River	Boat Ramp	Rockhampton Ski Gardens via Huet Street, Wandal		
South bank of Fitzroy River	Jetty	Rockhampton, Derby Street		
South Side of Dee River Dam	Boat Ramp	Mount Morgan, Dee River		
South bank of Fitzroy River	Boat Ramp	Rockhampton, Quay Street		
South bank of Fitzroy River	Floating Walkway	Rockhampton, Quay Street		
Port Alma	Boat Ramp	Port Alma, Port Alma Road		

#### Local government swimming pools

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Gracemere Swimming Pool	Swimming Pool	Cedric Archer Sports Complex Fisher Street, Gracemere	1	LN837879
Mount Morgan Swimming Pool	Swimming Pool	Thompson Avenue, Mt Morgan	1	SP187981
World War II Memorial Aquatic Centre	Swimming Pool	Lion Creek Road, Wandal	41	SP240869
42nd Battalion Memorial Pool	Swimming Pool	330-360 Berserker Street, Frenchville	2	SP175995

**Local government office**

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Local government public office	Public office	232 Bolsover Street, Rockhampton	3 11	R2616 SP254998



## Schedule 7 Dictionary

### Section 4

**accommodation**, at a local government accommodation park, means—

- (a) a caravan; or
- (b) a complementary accommodation.

**accommodation park** means a place for parking and residing in caravans, including a place that provides also for complementary accommodation.

**accommodation site**, at a local government accommodation park, means a part of the local government accommodation park which is designated for a single accommodation of a particular type.

**animal** has the meaning given in *Local Law No. 2 (Animal Management) 2011*.

**authorised person** has the meaning given in *Local Law No. 1 (Administration) 2011*.

**boat ramp**—

- (a) means a ramp or other device or structure used or capable of use or designed or intended for use for the purpose of launching and retrieving a trailable vessel and which is the property of, or under the control of, the local government; and
- (b) includes any area of foreshore used or capable of use, for the purpose of launching and retrieving a trailable vessel and which is the property of, or under the control of, the local government.

*Example—*

The slope of an area of foreshore may make the area capable of use for the purpose of launching and retrieving trailable vessels despite the fact that no device or structure has been constructed on the area of foreshore for the purpose of the launching and retrieving of trailable vessels.

**building** has the meaning given in the *Building Act 1975*.

**camping**, at a place, includes sleeping, occupying or remaining overnight at the place.

**caravan** has the meaning given in *Local Law No. 1 (Administration) 2011*.

**certified guide, hearing or assistance dog**, has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

**complementary accommodation** has the meaning given in *Subordinate Local Law No. 1.6 (Operation of Accommodation Parks) 2019*.

**driver** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**emergency services officer** means—

- (a) an officer of the Queensland Ambulance Service or an Ambulance Service of another State; or
- (b) an officer of the Queensland Fire and Emergency Services or a Fire and Emergency Services of another State; or
- (c) an officer or employee of another entity with the written permission of the Commissioner of the Police Service; or
- (d) an officer of the State Emergency Service or a State Emergency Service of another State; or
- (e) an officer or employee of an authority permitted by law to conduct utility installation or utility maintenance; or
- (f) an officer of Disaster Management Queensland.

**environmental nuisance** has the meaning given in the *Environmental Protection Act 1994*.

**footpath** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**goods** includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever.

**grid** means a structure designed to —

- (a) permit the movement of pedestrian or vehicular traffic along a road; but
- (b) prevent the passage of livestock.

**handler** has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

**holder**, of burial rights—

- (a) means the lawful holder of the right to inter human remains or ashes within a local government cemetery; and
- (b) a holder of burial rights has the right to be buried or interred and be identified or allocated a site and to authorise the burial or interment of others in the site; and
- (c) a holder of burial rights may transfer the rights with the consent of the local government.

**interfere** means prevent from continuing or being carried out properly, get in the way of, or handle or adjust without permission, and **interference** has a corresponding meaning.

**land** has the meaning given in the *Planning Act 2016*.

**landing** includes jetty, pontoon and wharf.

**local government accommodation park** means an accommodation park under the control of the local government, including an accommodation park located on land owned by the local government or on land for which the local government is the trustee.

**local government cemetery** has the meaning given in *Local Law No. 1 (Administration) 2011*.

**local government employee** has the meaning given in the *Local Government Act 2009*.

**local government office** includes—

- (a) the public office of the local government; and
- (b) each place used by the local government for local government administration or management purposes.

**local government swimming pool** means a swimming pool under the control of the local government, including a swimming pool located on land owned by the local government or on land for which the local government is the trustee.

**memorial** includes—

- (a) a headstone; and
- (b) an inscribed plaque or commemorative plate; and
- (c) monumental, ornamental or other structures erected on a grave site; and
- (d) anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.

**motor vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**non-public place** means—

- (a) the whole or any part of a local government office that is not a public place; and
- (b) the whole or any part of a local government office, including a public place, that is designated as a non-public place by—
  - (i) an authorised person; or
  - (ii) a notice displayed at a prominent place at—
    - (A) if the whole of the local government office is a non-public place—the local government office; or
    - (B) if a part of the local government office is a non-public place—the part of the local government office.

**occupier**, of land, means the person who reasonably appears to be the occupier of, or in charge of, the land.

**park** —

- (a) means a public place which the local government has set apart for park, recreational or environmental purposes; and
- (b) includes land designated as a park in the planning scheme of the local government.

**plant** has the meaning given in the *Biosecurity Act 2014*.

**public office** has the meaning given in the *Local Government Act 2009*.

**public place** —

- (a) has the meaning given in the *Local Government Act 2009*; but
- (b) does not include a non-public place.

**reserve**—

- (a) means —
  - (i) land dedicated as a reserve, or granted in trust, under the *Land Act 1994* and for which the local government is a trustee under that Act; and
  - (ii) other land held in trust by the local government which the local government has set apart for recreational or environmental purposes; and
- (b) includes land designated as a reserve in the planning scheme of the local government.

**responsible person**, for a gate or grid installed across a road, means each of the following persons—

- (a) the person who installed the gate or grid, or the gate and the grid;
- (b) the person for whose use or benefit the gate or grid, or the gate and the grid, were installed;
- (c) the person who has the benefit of the gate or grid, or the gate and the grid installed across the road.

**road** has the meaning given in the *Local Law No. 1 (Administration) 2011*.

**scheduled collection day**, for a standard general waste container, means the day of the week on which the local government has arranged for the collection of waste from the standard general waste container.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2002*.

**ship** has the meaning given in the *Transport Operations (Marine Safety) Act 1994*.

**shopping trolley** means a wheeled basket or frame used for transporting purchases from a supermarket or shop.

**standard general waste container** means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government area.

**stormwater drain** has the meaning given in the *Local Government Act 2009*.

**street performing**—

- (a) means a musical, theatrical or other type of performance undertaken by a person to

entertain the public; and

- (b) includes both a performance undertaken by the person for voluntary reward and a performance undertaken by the person in circumstances where no reward, either voluntary or otherwise, is sought by the person.

**structure** has the meaning given in the *Local Government Act 2009*.

**swimming pool** has the meaning given in the *Building Act 1975*.

**unregistered**, for a vehicle that is required to be registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010*, means that the vehicle is not a registered vehicle.

**utility installation** means—

- (a) the supply of water, hydraulic power, electricity or gas; or
- (b) the provision of sewerage or drainage services; or
- (c) the provision of telecommunications services.

**utility maintenance** means the maintenance of—

- (a) water, hydraulic power, electricity or gas services; or
- (b) sewerage or drainage services; or
- (c) telecommunications services.

**vegetation** means trees, plants and all other organisms of vegetable origin (whether living or dead).

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**waste** has the meaning given in the *Environmental Protection Act 1994*.

**water supply system** has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.