



Yarrabah Aboriginal Shire Council

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

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)	3
	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
Schedule 1	Prohibited activities for local government controlled areas or roads	4
Schedule 2	Restricted activities for local government controlled areas or roads	6
Schedule 3	Motor vehicle access areas in local government controlled areas.....	8
Schedule 4	Opening hours for local government controlled areas.....	9
Schedule 5	Permanent closure of local government controlled areas.....	10

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) 2015*.

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) 2015* 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) 2015* (the *authorising local law*).

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising 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)

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.

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 of adequate strength for the purposes of restraining the types of animal contained in the area adjacent to the fence, with particular reference to enclosure requirements contained in *Subordinate*

Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

	Column 1 Local government controlled area or road	Column 2 Prohibited activity
1	All local government controlled areas and roads within the local government area	<ol style="list-style-type: none"> 1) Breaking, destroying, damaging, defacing, disfiguring, or writing upon any structure or any notice, whether intentionally or unintentionally; or 2) Causing an offensive liquid, sediment or substance to be discharged onto an area or road; or 3) Obstructing, interfering with or impeding operation of or access to the local government controlled area or road.
2	Cemeteries within the local government area	Obstructing, interfering with or impeding a funeral or commemorative service lawfully conducted in a local government area.
3	Public place	Slaughtering, "gutting", cleaning or scaling aquatic life, including turtle, fish, dugong, etc.
4	All bridges and culverts	<ol style="list-style-type: none"> 1) Diving, jumping or causing any person or object to fall or be projected into waters surrounding the bridge or culvert; or 2) Entering a culvert for any purpose.
5	At boat ramps and barge landings in the local government area	<ol style="list-style-type: none"> 1) Obstructing or impeding vessels or vehicular or pedestrian traffic accessing the boat ramp or barge landings. 2) Extinguishing, diminishing or increasing any light illuminating the boat ramp or barge landings; or 3) slaughtering, "gutting", cleaning or scaling aquatic life, including turtle, fish, dugong, etc.
6	Parks within the local government area	<ol style="list-style-type: none"> 1) Damaging or interfering with vegetation; or 2) Acting in a manner that may cause offence or negatively affect the

	enjoyment of the park by other persons.
--	---

Schedule 2 Restricted activities for local government controlled areas or roads

Section 5(2)

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
1	All local government controlled areas and roads within the local government area	The washing or cleaning, painting, repairing, alteration or maintenance of vehicles on a road.	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.
2	All local government controlled areas and roads within the local government area	Lighting and maintaining a fire	Permitted only where the fire is: - (a) part of a traditional cooking technique and managed so as to ensure non-escape of fire; or (b) associated with a public safety or environmental objective; or (c) in a designated fire place provided by the local government; or (d) authorised under the <i>Fire and Rescue Service Act 1990</i> (Qld); or (e) authorised by an authorised person; or (f) authorised under a condition of an approval under <i>Local Law No. 1 (Administration) 2015</i> .
3	Parks or Reserves within	Bringing animals into the	Permitted only with the

	the local government area	Park or Reserve.	written authorisation of the Chief Executive Officer or as otherwise authorised by other local law or subordinate local law.
4	Cemeteries within the local government area	1. Interfering with a grave, memorial or with flowers or tokens on a grave or memorial; or 2. Digging or preparing a grave.	Permitted only with the written authorisation of an authorised person.

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

Sections 6 and 7

Intentionally left blank

Schedule 4 Opening hours for local government controlled areas

Section 8

Intentionally left blank

Schedule 5 Permanent closure of local government controlled areas

Section 9

Intentionally left blank

CERTIFICATION

This and the preceding ten (10) pages bearing my initials is a certified copy of the Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2015, made in accordance with the provisions of the Local Government Act 2009, by the Yarrabah Aboriginal Shire Council by resolution dated 13 July 2015.

Resolution: 05:13/07/2015



Janelle Menzies
Chief Executive Officer
Yarrabah Aboriginal Shire Council