

**Doomadgee Aboriginal Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016**

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**Part 1 Preliminary**

**1 Short title**

This subordinate local law may be cited as *Doomadgee Aboriginal Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016*.

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

- (1) The purpose of this subordinate local law is to supplement *Doomadgee Aboriginal Shire Council Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016* 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 *Doomadgee Aboriginal Shire Council Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2016* (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—  
the fence must be, in the opinion of an authorised person, of adequate height, strength and nature and be constructed of appropriate materials for the purposes of restraining the types of animal contained in the area adjacent to the fence.

**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
All Pedestrian Malls in the Local Government Area	<ul style="list-style-type: none"> <li>• Camping or overnight sleeping</li> <li>• Carrying out domestic tasks, including ablutions, cooking and washing.</li> <li>• Smoking within 5m of a doorway.</li> </ul>
All Parks And Reserves, Natural Areas And Cultural Reserves And Drainage Channels in the Local Government Area	<ul style="list-style-type: none"> <li>• Damage or interfere with native wildlife or vegetation.</li> <li>• Damage or interfere with local government facilities, notices or equipment.</li> <li>• Exercise rights of occupation or use.</li> <li>• Use a vehicle except where indicated.</li> <li>• Carrying out domestic tasks, including ablutions, cooking and washing.</li> <li>• Bring animals except where indicated</li> </ul>
Cemeteries	<ul style="list-style-type: none"> <li>• Damage or interfere with local government infrastructure.</li> <li>• Damage any tree, shrub or plant.</li> <li>• Take part in any meeting other than of a religious or commemorative nature.</li> <li>• Disturb or interfere with a funeral service.</li> <li>• Discharge a firearm except at a military funeral or other recognised type of funeral service ordinarily involving such discharge.</li> <li>• Damage or interfere with any grave, vault or memorial with any flowers or tokens placed thereon.</li> <li>• Drive any vehicle otherwise than upon a designated roadway.</li> </ul>
Caravan Parks	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Light or maintain a fire in the open air except in a properly constructed fireplace approved by the local government.</li> <li>• Engage in unlawful business, trade or occupation.</li> <li>• Take or bring an animal unless otherwise signed.</li> <li>• Use hand washing facilities for purposes other than their intended use.</li> </ul>

	<ul style="list-style-type: none"> <li>• Lay down floor covering on the ground surface.</li> <li>• Injure, destroy or remove a tree, shrub or plant.</li> <li>• Dig a hole or trench.</li> </ul>
Airport	Smoking within five metres of the doorway
All Public Conveniences in the Local Government Area	<ul style="list-style-type: none"> <li>• Damage, mutilate, defile, interfere with or destroy any local government building, structure or equipment.</li> <li>• Deposit or leave any refuse or rubbish.</li> <li>• Sleep or inhabit.</li> <li>• Deposit in a bowl, pan or urinal: cigarette, cloth, grass, earth, metal, plastic, unsuitable paper or wood.</li> </ul>
All Roads in the Local Government Area	<ul style="list-style-type: none"> <li>• Damage a road.</li> <li>• Obstruct the effective illumination of a road or a footway with a tree or vegetation.</li> <li>• Obstruct clear vision by vehicular and pedestrian traffic with a tree or vegetation.</li> <li>• Create a potential danger in the opinion of an authorised person to public safety for road users.</li> <li>• Camp.</li> <li>• Carry out domestic tasks, including ablutions, cooking and washing.</li> <li>• Doors or gates leading to buildings must not project upon a road or footway when opened.</li> </ul>
All footpaths in the Local Government Area	The occupier of the property adjacent or adjoining footway must not allow a footway to become overgrown or allow vegetation on a footway to cause a nuisance or become unsightly (including parking non roadworthy vehicles and plant, equipment and machinery) in the opinion of an authorised person.

**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
All local government controlled areas within the local government area	Any activities that may in the opinion of an authorised person obstruct the safe movement of users of the public land and local government infrastructure.	Permitted only with the written authorisation of the chief executive officer
All roads within the local government area	Be on a road unless authorised or exempt by law.	Permitted only with the written authorisation of the chief executive officer
All parks and reserves within the local government area	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.	Permitted only with the written authorisation of the chief executive officer
Cemeteries	Bringing an animal into the cemetery.  Interfering with a grave, memorial or with flowers or tokens on a grave or memorial.	Permitted only with the written authorisation of the chief executive officer  Permitted only with the written authorisation of the chief executive officer
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.	Does not apply to ingress or egress from adjoining properties; or walking a pet

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

Sections 6 and 7

All Council controlled areas and facilities	In accordance with official signage approved and erected by the local government.
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**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</b>
All Council controlled areas and facilities	In accordance with official signage approved and erected by the local government.



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

**Section 9**

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**Certification**

This and the preceding 9 pages bearing my initials is a certified copy of *Doomadgee Aboriginal Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016* made in accordance with the provisions of the *Local Government Act 2009*, by Doomadgee Aboriginal Shire Council by resolution dated **29/1/2016**

  
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Signature of Mayor

**FREDERICK O'KEEFE**  
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Name of Mayor

  
.....

Signature of Witness

**JANNENE GRAHAM**  
.....

Name of CEO