# Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

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### 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) 2011.

#### 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.

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

Section 5(1)

	Column 1		Column 2
	Local government controlled area or road		Prohibited activity
1	All local government controlled areas within the local government area	(a)	Taking part in a protest or other riotous, disorderly, indecent, offensive, threatening or insulting behaviour;
		(b)	Carrying or displaying a placard or other sign bearing an offensive or threatening message or image;
		(c)	Injuring, misusing, defacing, marking or otherwise damaging a building or structure in a local government controlled area;
		(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;
		(e)	Camping, sleeping, occupying or remaining overnight unless the local government controlled area is a park or reserve.

		(f)	Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire.
2	All roads within the local government area	(a)	Causing an offensive liquid, sediment or substance to be discharged onto a road;
		(b)	Intentionally or negligently damaging a road or a structure associated with a road;
		(c)	Creating a nuisance on a road;
		(d)	Camping, sleeping, occupying or remaining overnight in a vehicle stopped on a footpath, shared path, water-channel or gutter.
		(e)	Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire.
		(f)	Parking or leave standing, an unregistered vehicle on a road.
3	All local government cemeteries within the local government area, including each local government cemetery identified in schedule 6	(a)	Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery;
		(b)	Selling or buying any article or thing;
		(c)	Distributing or putting up any handbill, card, circular or advertisement;
		(d)	Interfering with any tree, shrub or plant;
		(e)	Taking part in any meeting other than a meeting of a religious or

commemorative nature;

- (f) Discharging a firearm, except at a military or police funeral or other recognised type of funeral service ordinarily involving such discharge;
- (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;
- (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;
- (i) Engaging in conduct which is dangerous or creates a risk to the safety of members of the public;
- damaging or destroying any building, fence, structure, improvement or other property;
- (k) Bringing an animal into or allowing an animal to be within a local government cemetery (other than for the purposes of a funeral or commemorative service);
- (l) Entering or being within a local government cemetery except for the purpose of visiting a grave, attending a funeral or religious celebration, for example a wedding or a christening, or maintaining or repairing a grave in accordance with a written authorisation of the chief executive officer.

- 4 All parks and reserves within the local government area
- (a) Damaging or interfering with vegetation;
- (b) Discharging or carrying a firearm or other weapon or any kind of explosive device:
- (c) Throwing a stone, projectile or other missile;
- (d) Using or carrying a trap, snare or net;
- (e) Hitting a golf ball;
- (f) Behaving in a righteous, disorderly, indecent, offensive, threatening or insulting manner;
- (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;
- (h) Interfering with a plant or any turf, sand, clay, soil or other material;
- (i) Interfering with any facility or equipment located at the park or reserve;
- (j) Disposing of any waste of any kind other than in a waste container provided for that purpose;
- (k) Depositing, storing or abandoning any goods;
- (l) Bathing in any ornamental pond or lake;
- (m) Using a boat, canoe, craft, surf ski, surf board or other recreational floating device in an ornamental pond or lake:
- (n) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a

			facility in a park or reserve;
		(0)	Permitting or allowing a water tap in a park or reserve to run water to waste;
		(p)	Cultivating any plant, vegetation or vegetative matter;
		(q)	Driving a motorbike (as defined in section 11A of the Summary Offences Act 2005) on public land forming part, or the whole, of the park or reserve.
5	All local government caravan parks within the local government area	(a)	Disposing of liquid waste other than at a drainage point provided for that purpose;
		(b)	Disposing of waste other than in a waste container provided for that purpose;
		(c)	Using facilities in a way that makes them unclean or insanitary;
		(d)	Behaving in a righteous, disorderly, indecent, offensive, threatening or insulting manner;
		(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;
		(f)	Interfering with a plant or any turf, sand, clay, soil or other material;
		(g)	Interfering with any facility or equipment located at the local government caravan park.
6	The boat ramps and landings within the local government area identified in schedule 6	(a)	Carrying out maintenance or repairs to a ship on a boat ramp;

- (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;
- (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;
- (d) Wilfully damaging any lighting upon a boat ramp or a landing;
- (e) Riding an animal on a boat ramp or a landing;
- (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;
- (g) Carrying a loaded or cocked spear gun on a boat ramp or a landing;
- (h) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;
- (i) Diving off a boat ramp or a landing;
- (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;
- (k) Obstructing another person's use of a boat ramp or landing;
- (l) Using a boat ramp or

			landing in a manner which is inconsistent with —
			(i) the safe, secure and efficient operation of the boat ramp or landing; or
			(ii) the protection of the environment at the boat ramp or landing; or
			(iii) the maintenance or improvement of the convenience of users of the boat ramp or landing;
		(m)	Cleaning or gutting a fish on or near a boat ramp or landing;
		(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;
		(0)	Behaving in a manner which is likely to encourage a crocodile attack, for example, fishing whilst standing—
			(i) in knee deep water; or
			(ii) on a log overhanging water.
7	All local government swimming pools within the local government area, including each local government swimming pool	(a)	Bringing any glass or any item made from glass into the swimming pool;
	identified in schedule 6	(b)	Bringing any animal onto the land on which the swimming pool is situated;
		(c)	Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool;

- (d) Causing wilful damage to the swimming pool;
- (e) Behaving in a way that endangers the safety of, or causes a nuisance to, other users of the swimming pool;
- (f) If a person is more than 5 years of age entering any part of the swimming pool which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance;
- (g) Entering the swimming pool whilst intoxicated or under the influence of a stupefying drug;
- (h) Entering the swimming pool whilst carrying or having possession of any alcohol or a stupefying drug;
- (i) Disposing of waste other than in a waste container provided by the local government for the purpose of the collection of waste;
- (j) Entering into the swimming pool if the person has an infectious or contagious disease or illness or a skin complaint;
- (k) Interfering with the property of another person at the swimming pool other than with the consent of the other person;
- (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;

		(m)	Using a season ticket for the swimming pool otherwise than in accordance with the rules of the local government for the use of a season ticket for the swimming pool;
		(n)	Behaving in a threatening, abusive or insulting manner to another person at the swimming pool.
8	All local government camping grounds within the local government area	(a)	Disposing of liquid waste other than at a drainage point provided for that purpose;
		(b)	Disposing of waste other than in a waste container provided for that purpose;
		(c)	Using facilities in a way that makes them unclean or insanitary;
		(d)	Behaving in a righteous, disorderly, indecent, offensive, threatening or insulting manner;
		(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;
		(f)	Interfering with a plant or any turf, sand, clay, soil or other material;
		(g)	Interfering with any facility or equipment located at the local government camping ground.
9	All local government offices within the local government area, including each local government office identified in schedule 6	(a)	Obstructing or interfering with a person who is a local government employee or a contractor of the local government in the performance of the duties to be performed by the

- person at the local government office;
- (b) Disposing of waste other than in a waste container provided for that purpose;
- (c) Using facilities in a way that makes them unclean or insanitary;
- (d) Behaving in a righteous, disorderly, indecent, offensive, threatening or insulting manner;
- (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;
- (f) Interfering with any facility or equipment located at the local government office;
- (g) Depositing, storing or abandoning any goods;
- (h) Any activity which fouls, litters, pollutes or interferes with the local government office or a facility in the local government office;
- (i) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government office or a notice erected or displayed by the local government at the local government office;
- (j) Using any part of the local government office in a manner which is inconsistent with—
  - (i) the safe, secure and efficient operation of the local

		government office; or  (ii) the maintenance or improvement of the convenience of users of the local government office.
10	Fitzroy River Barrage	Swimming or bathing in—
		(a) the Fitzroy River Barrage; or
		(b) any creek flowing into the Barrage within 200m upstream or 400m downstream of the Barrage.
11	Causeway Lake, Causeway Esplanade, Causeway Lake, described as Lot 1 on	(a) Use of a spear gun or fishing spear;
	SP107101	(b) Use of aquatic equipment in or near a bathing area in a way that creates a risk to the safety of others.
12	The area of Farnborough Beach (North) which is north of the Dune Crossover	Bringing a motor vehicle onto, or driving a motor vehicle on, the
	Five Rocks Beach	area of bathing reserve or foreshore.

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

Section 5(2)

	Column 1	Column 2	Column 3
	Local government controlled area or road	Restricted activity	Extent of restriction
1	All local government controlled areas within the local government area	Busking	Permitted only if authorised under the conditions of an approval for a prescribed activity.
2	All roads within the local government area	(a) The washing or cleansing, painting, repairing, alteration or maintenance of vehicles on a road' (see s.66(3)(b) of the Transport Operations (Road Use Management) Act 1995, which permits local laws to regulate these activities on roads).	(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.
		(b) Busking	(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.
3	All local government cemeteries within the local government area, including each local government cemetery identified in schedule 6	(a) Carrying out a burial outside the hours during which burials may be performed as fixed by the local government.	<ul> <li>(a) Permitted only—</li> <li>(i) between the hours of 9am and 4pm; or</li> <li>(ii) with the written authorisation of the chief executive officer.</li> </ul>
		(b) A disposing of human remains in a local government cemetery.	(b) Permitted only with the written authorisation of the chief executive officer of the local

				government.
	(c)	Digging or preparing a grave in a local government cemetery.	(c)	Permitted only if the grave is dug or prepared by a person employed by the local government or with the written authorisation of the sexton.
	(d)	After a burial — reopening a grave for a further burial.	(d)	Permitted only with the written authorisation of the sexton.
	(e)	Bringing human remains into a local government cemetery.	(e)	Permitted only—  (i) with the written authorisation of the chief executive officer of the local government; and  (ii) if the remains are enclosed in a coffin or other form of container appropriate to the proposed form of disposal.
	(f)	Erecting or installing a memorial to a deceased person in a local government cemetery.	(f)	Permitted only with the written authorisation of the chief executive officer of the local government.
	(g)	Reserving a niche or site in a local government cemetery.	(g)	Permitted only under the conditions of a written authorisation of the chief executive officer of the local government.
	(h)	Carrying out maintenance or repair work on a memorial to a deceased person in a local government cemetery.	(h)	Permitted only—  (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 and	person;
				(ii) with th approval sexton; as	of the
				be carrie are inclu written	to as about work is to ed out as ded in the tion of the
4	All parks and reserves within the local	(a)	Lighting or maintaining a fire.	(a) Permitted only is—	if the fire
	government area			in a establishe	maintained fireplace ed by the overnment irpose; or
				in accord the authorisa chief	maintained lance with written tion of the executive f the local nt.
		(b)	Sleeping, occupying or remaining overnight in a park or reserve.	(b) Permitted only written author the chief execu of the local gov	risation of tive officer
		(c)	Conducting a social gathering or meeting of more than 50 people.	` '	
		(d)	Erecting or installing a building, structure or facility in, on, across or over a park or reserve.	* *	

		(f)	Operating a model	(f) Permitted only with the
		(2)	aircraft propelled by a motor.	written authorisation of the chief executive officer of the local government.
		(g)	Using, storing or possessing fireworks.	(g) Permitted only with the written authorisation of the chief executive officer of the local government.
		(h)	Operating a device which amplifies noise.	(h) Permitted only with the written authorisation of the chief executive officer of the local government.
		(i)	Displaying a sign or advertisement.	(i) Permitted only if authorised under the conditions of an approval for a prescribed activity.
5	All local government caravan parks within	(a)	Lighting or maintaining a fire in	(a) Permitted only —
	the local government area		the open.	(i) if the fire is in a fireplace or incinerator approved for the purpose by the local government; or
				(ii) with the written authorisation of an authorised person.
		(b)	1 0	(b) Permitted only if—
			occupying or remaining overnight in a caravan or complementary accommodation at a	(i) the person undertaking the activity maintains the caravan site and

caravan site at a local complementary accommodation on government caravan the caravan site in a park clean and sanitary condition; and the person deposits all waste in a waste container. or waste disposal system, provided the by local government for the purpose; and (iii) the person does not use facilities at the local government caravan park in a that makes way them unclean unsanitary; and (iv) the person who occupies the caravan site allows onto the site no more persons than limit the fixed under a relevant approval or notified by notice displayed by the local government at local the government caravan park; and the person pays all fees for use of the site caravan advance to the local government; and (vi) if required by the local government Act—the or an person enters into a written agreement with the local government about undertaking the activity at the local

					government caravan park; and
				(vii)	at the end of the period of occupation of the caravan site — the person vacates and leaves the caravan site in a clean and tidy condition; and
				(viii)	that the caravan or complementary accommodation is not let or hired to another person; and
				(ix)	the person ensures that the caravan site is kept and maintained in good repair and clean, tidy and sanitary condition; and
				(x)	the person ensures that the caravan site is not left unoccupied for more than 2 days; and
				(xi)	the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government caravan park.
6	The boat ramps and landings within the local government area identified in schedule 6	(a)	Driving or standing a vehicle on a boat ramp.	or r	nitted only to launch etrieve a ship from locat ramp.
		(b)	Launching or retrieving a ship at a	(b) Perm	

	boat ramp.	retrieving the ship does so as quickly as is reasonably possible.
(c)	Anchoring, mooring or placing a ship in the water around a boat ramp or a landing.	(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.
(d)	Carrying out the rigging of a sailing ship on a boat ramp or landing.	(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.
(e)	Taking or driving a vehicle onto a boat ramp.	(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—
		(i) 5 tonnes; or  (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

	(f)	Taking or driving a	(f)	Pern	nitted only if—
		vehicle onto a landing.		(i)	the local government erects on or near the landing a notice that—
					(A) is approved by the local government; and
					(B) authorises the taking or driving of a vehicle on the landing for the purpose mentioned in paragraph (ii); and
					(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
				(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.
	(g)	Taking or driving a vehicle onto a boat ramp or landing.	(g)	vehic fitted	nitted only if the cle moves on wheels d with pneumatic or er tyres.

7	All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6	(a)	Conducting—  (i) a swimming club competition or carnival; or  (ii) an inter-school or intra-school swimming competition or carnival; or  (iii)learn to swim training, lifesaving training or competitive swimming training by a swimming club or school; or  (iv)a private function.	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(b)	Bringing an object (including water sports equipment) into a swimming pool if the object is dangerous or may be used in a dangerous way.	(b) Permitted only with the written authorisation of an authorised person.
8	All local government camping grounds within the local government area	(a)	Lighting or maintaining a fire in the open.	<ul> <li>(a) Permitted only —</li> <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>
		(b)	Camping, sleeping, occupying or remaining overnight at a camping site at a local government camping ground.	(b) Permitted only if—  (i) the person undertaking the activity maintains the camping site, and any tent or other

- accommodation on the camping site, in a clean and sanitary condition; and
- (ii) the person deposits all waste in a waste container, or a waste disposal system, provided by the local government for the purpose; and
- (iii) the person does not use facilities at the local government camping ground in a way that makes them unclean or unsanitary; and
- (iv) the person who occupies the camping 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 camping ground; and
- (v) the person pays all fees for use of the camping site in advance to the local government; and
- (vi) if required by the local government Act—the or an person enters into a written agreement with the local government about undertaking the activity at the local

- government camping ground; and (vii) at the end of the period of occupation of the camping site — the person vacates and leaves the camping site in a clean and tidy condition; and (viii) the person ensures that the camping site, tent or other accommodation is not let or hired to another person; and
  - (ix) the person ensures that the camping site is kept and maintained in good repair and clean, tidy and sanitary condition; and
  - (x) the person ensures that the camping site is not left unoccupied for more than 2 days; and
  - (xi) the person ensures that not more than 1 tent or other accommodation occupies a camping site at the camping ground; and
  - (xii) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government camping ground.

9	All local government offices within the local government area, including each local government office identified in schedule 6	<ul> <li>(a) The activity of a person bringing an animal onto, or permitting or allowing an animal to remain on, the local government office.</li> <li>(b) Entering or remaining at a local government</li> </ul>	<ul> <li>(a) Permitted only if—</li> <li>(i) the animal is an assistance dog, a guide dog or a hearing dog; and</li> <li>(ii) the person is the handler of the dog.</li> <li>(b) Permitted if—</li> <li>(i) the local</li> </ul>
		office or a part of a local government office	government office or relevant part of the local government office is a public place; and
			(ii) if the local government erects on or near the local government office or the relevant part of the local government office, a notice that is approved by the local government which authorises entry to the local government office or the relevant part of the local government office—the person complies with the requirements of the notice.
10	Fitzroy River Barrage	Entering or remaining at the Barrage on a part of the Barrage	Permitted if the Barrage or the part of the Barrage is a public place
11	Each area of bathing reserve and foreshore identified as follows— Cooee Bay Beach Emu Park Beach and Shelleys Beach	Bringing a motor vehicle onto, or driving a motor vehicle on, the area of bathing reserve or foreshore	Permitted only if the motor vehicle is—  (a) an essential services vehicle being used to provide the service for which it is designed or ordinarily used; or
	Farnborough Beach		,, .

	(South) Fishermans Beach – Emu Park Haven - Tanby Point Beach Kemp Beach Keppel Sands Beach Kinka Beach Lammermoor Beach Mulambin Beach Nine Mile Beach Ritamada Beach Statue Bay Beach		<ul> <li>(b) a life-saving patrol vehicle being used to provide the service for which it is designed or ordinarily used; or</li> <li>(c) attached to a trailer and the driver of the motor vehicle is using a boat ramp on the area to launch or retrieve a trailable vessel from the trailer.</li> </ul>
12	The area of bathing reserve identified as Yeppoon Main Beach	Bringing a motor vehicle onto, or driving a motor vehicle on, the area of bathing reserve	Permitted only if the motor vehicle is driven by a person who is—  (a) a member or invitee of the Keppel Bay Sailing Club Incorporated; and  (b) using the area of foreshore and seashore 250m either side of the clubhouse of the Keppel Bay Sailing Club Incorporated for the purpose of the launch or retrieval of a trailable vessel from a trailer attached to the motor vehicle.
13	The area of bathing reserve identified as Great Keppel Island Beaches	Bringing a motor vehicle onto, or driving a motor vehicle on, the area of bathing reserve	Permitted only if the motor vehicle is driven by a person who is—  (a) an officer, employee or agent of a tourist resort complex or a retail shop on Great Keppel Island; and  (b) driving the motor vehicle on the area in the course of his or her

	duties as an officer, employee or agent of, as the case may be, the tourist resort complex
	or retail shop.

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

Sections 6 and 7

Column 1  Motor vehicle access areas	Column 2 Prohibited vehicles
No motor vehicle access area declared.	

# Schedule 4 Opening hours for local government controlled areas

Section 8

Column 1 Local government controlled area	Column 2 Opening hours <sup>1</sup>
No local government controlled area mentioned.	

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<sup>&</sup>lt;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**

<b>Facility Common Name</b>	Description	Street Address	Real Property	Description
			Lot	Plan
Bajool Cemetery	Operating Cemetery	Mills Street, Bajool	193	C1852
Cawarral Cemetery	Operating Cemetery	Cemetery Road, Cawarral	18	C855
Emu Park Cemetery	Operating Cemetery	Emu Park Road, Emu Park	132	CP906603
Gracemere Cemetery	Operating Cemetery	Corner Fisher and Bland Streets, Gracemere	326	LN32897
Gracemere Cemetery	Operating Cemetery	Corner Fisher and Bland Streets, Gracemere	1	SP163921
Joskeleigh Cemetery	Operating Cemetery	Joskeleigh Road, Joskeleigh	32	LN2641
North Rockhampton Cemetery	Operating Cemetery	Yaamba Road, North Rockhampton	235	LN2505
Mt Morgan Cemetery	Operating Cemetery	Burnett Highway, Mt Morgan	184	C8190
Rockhampton Memorial Gardens	Operating Cemetery	21 Hartington Street, North Rockhampton	62	CP891377
Yeppoon Cemetery	Operating Cemetery	Cordingley Street, Yeppoon	135	LN2048
Milman Cemetery	Operating Cemetery	Milman Road, Milman	102	CP886608
Marlborough Cemetery	Closed Cemetery	Coorumburra Road, Marlborough	87	C8119
South Rockhampton Cemetery	Closed Cemetery	Upper Dawson Road, Rockhampton	1	RP604898
Yaamba Cemetery	Closed Cemetery	Iris Street, Yaamba	79	LN1344

### **Boat ramps and landings**

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
North bank of Pumpkin Creek	Boat Ramp	Keppel Sands, Limpus Avenue,		
	LV11	upstream		
Fitzroy River near St	Boat Ramp	Nerimbera, St Christopher's		
Christopher's Chapel Road	LV12	Chapel Road		
North Bank of Pumpkin Creek	Boat Ramp	Keppel Sands, Limpus Avenue,		
	LV15	downstream		
Musa Heads, Keppel Bay	Boat Ramp	Keppel Sands, Taylor Street		
	LV16			
North bank of Coorooman	Boat Ramp	Coorooman Creek (Svendsen		
Creek, Emu Park	LV21	Road) Boat Ramp, Emu Park		
Emu Point	Boat Ramp	Emu Park, Hill Street		
	LV31			

Facility Common Name	Description	Street Address	Real Prope	Real Property Description	
			Lot	Plan	
Causeway lake	Boat Ramp LV41	Mulambin, Yeppoon – Emu Park Road			
Yeppoon – near Beak Bridge	Boat Ramp LV61	Yeppoon, Emu Park Road – Fig Tree Creek			
Waterpark Creek	Boat Ramp LV66	Corbetts Landing, Corbetts Landing Road			
Thirsty Sound at the end of Banksia Road	Boat Ramp LV67	Stanage Bay, Banksia Road			
North bank of Fitzroy River	Boat Ramp RK11	Rockhampton, Reaney Street			
North bank of Fitzroy River barrage	Boat Ramp RK21	Rockhampton, Larcombe Street			
South bank of Fitzroy River	Boat Ramp RK31	Rockhampton, Ski Gardens via Huet Street			
South bank of Fitzroy River	Jetty RK41	Rockhampton, Derby Street			
South Side of Dee River Dam	Boat Ramp MM10	Mount Morgan, Dee River			
Zilzie, Muskers Beach	Boat Ramp	At the eastern end of Kennedy St, Zilzie			
Zilzie, Zilzie Beach	Boat Ramp	At the northern end of the beach off the Esplanade, Zilzie			
Emu Park, Ritamada Beach	Boat Ramp	At the eastern end of Haven Road, Emu Park			
Mulambin, Mulambin Beach	Boat Ramp	At the northern end of the beach off Scenic Highway, Mulambin			
Bangalee, Farnborough Beach	Boat Ramp	At the end of Hinz Avenue, Bangalee			

### Local government swimming pools

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Cooee Bay Swimming Pool -	Swimming Pool	Matthew Flinders Drive,	1	RP844401
Yeppoon Aquatic Centre		Cooee Bay		
Emu Park Swimming Pool -	Swimming Pool	Pattison Street,	8	LN801329
Don Ireland Complex		Emu Park		
Gracemere Swimming Pool	Swimming Pool	Cedric Archer Sports Complex	1	LN837879
		Fisher Street,		
		Gracemere		
Marlborough Public Swimming	Swimming Pool		11	RP602167
Pool				
Mount Morgan Swimming Pool	Swimming Pool	Thompson Avenue,	1	SP187981
		Mt Morgan		
World War II Memorial Pool	Swimming Pool	Lion Creek Road,	252	LN759
(Southside Pool)		Rockhampton		
Rockpool	Swimming Pool	330-360 Berserker Street,	2	SP175995
		North Rockhampton		

### Local government offices

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Mt Morgan Council Office		32 Hall Street, Mt Morgan	Lot 4	M31111
			Lot 3	M31127
			Lot 5	M31127
Gracemere Council Office		1 Ranger Street, Gracemere	Lot 1	CP860880
			Lot A	SP163796
			Lot 2	CP860880
Yeppoon Council Office		70 Anzac Parade, Yeppoon	Lot 39	LN2298
Rockhampton City Hall		232 Bolsover Street, Rockhampton City	Lot 2	R2616

### Schedule 7 Dictionary

Section 4

accommodation, at a local government caravan park, means—

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

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

assistance dog has the meaning given in the Guide, Hearing and Assistance Dogs Act 2009.

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

bathing reserve has the meaning given in Local Law No. 6 (Bathing Reserves) 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*.

busking means a musical or theatrical performance undertaken by a person—

- (a) to entertain the public; and
- (b) seeking voluntary reward for the performance.

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

*camping ground* means land that is approved by the local government for camping but does not include a caravan park.

*camping site* means a part of a camping ground which is designated for occupation by a tent, inclusive of ropes, poles, supports and pegs incidental to the erection and use of the tent.

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

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

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

complementary accommodation has the meaning given in Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011.

**Cooee Bay Beach** means the area identified (hatched in black) on the map of Cooee Bay Beach which forms part of this schedule 7.

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 Rescue Service or a Fire and Rescue Service 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 Emergency Management Queensland.

*Emu Park Main Beach and Shelleys Beach* means the area identified (hatched in black) on the map of Emu Park Main Beach and Shelleys Beach which forms part of this schedule 7.

essential services vehicle means a motor vehicle that is in the care and control of—

- (a) an emergency services officer; or
- (b) another person specified by subordinate local law.

*Farnborough Beach (North)* means the area identified (hatched in black) on the map of Farnborough Beach (North) which forms part of this schedule 7.

**Farnborough Beach (South)** means the area identified (hatched in black) on the map of Farnborough Beach (South) which forms part of this schedule 7.

*Fishermans Beach – Emu Park* means the area identified (hatched in black) on the map of Fishermans Beach – Emu Park which forms part of this schedule 7.

*Five Rocks Beach* means the area identified (hatched in black) on the map of Five Rocks Beach which forms part of this schedule 7.

Fitzroy River Barrage means the area commencing at the northern corner of Lot 7 on RP9002, thence by the west boundary of subdivision 40 of portion 46, Parish of Rockhampton, 54.295m to the Fitzroy River, thence by a line northerly across the Fitzroy River to the south-eastern corner of subdivision 2 of portion 257, Parish of Murchison, then by the south-eastern boundary of that subdivision bearing 47° 18.306m, thence by a line parallel to and 15.088m distant from the left bank to the Fitzroy River, thence by a line southerly across the Fitzroy River on the north-western corner of Lot 8 on RP9002, being part of original portion, Parish of Rockhampton, thence by the western and southern boundaries of Lot 2 on RP10008 and Lot 9 on RP9002, to the point of commencement.

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.

*Great Keppel Island Beaches* means the area identified (hatched in black) on the map of Great Keppel Island Beaches which forms part of this schedule 7.

guide dog has the meaning given in the Guide, Hearing and Assistance Dogs Act 2009.

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

*Haven - Tanby Point Beach* means the area identified (hatched in black) on the map of Haven - Tanby Point Beach which forms part of this schedule 7.

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

*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.

**Kemp Beach** means the area identified (hatched in black) on the map of Kemp Beach which forms part of this schedule 7.

*Keppel Sands Beach* means the area identified (hatched in black) on the map of Keppel Sands Beach which forms part of this schedule 7.

*Kinka Beach* means the area identified (hatched in black) on the map of Kinka Beach which forms part of this schedule 7.

**Lammermoor Beach** means the area identified (hatched in black) on the map of Lammermoor Beach which forms part of this schedule 7.

*landing* includes jetty, pontoon and wharf.

*life-saving club* has the meaning given in *Local Law No. 6 (Bathing Reserves) 2011.* 

*life-saving patrol vehicle* means a motor vehicle that is in the care or control of a member 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.

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

*local government caravan park* means a caravan park under the control of the local government, including a caravan 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.

**Mulambin Beach** means the area identified (hatched in black) on the map of Mulambin Beach which forms part of this schedule 7.

*Nine Mile Beach* means the area identified (hatched in black) on the map of Nine Mile Beach which forms part of this schedule 7.

#### 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.

*park* means a public place which the local government has, by resolution, set apart for park, recreational or environmental purposes, and includes land designated as a park in the planning scheme of the local government.

*plant* has the meaning given in the *Land Protection (Pest and Stock Route Management) Act* 2002.

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.

recognised life-saving club has the meaning given in Local Law No. 6 (Bathing Reserves) 2011.

**reserve** means 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 other land held in trust by the local government which the local government has, by resolution, set apart for recreational or environmental purposes, and includes land designated as a reserve in the planning scheme of the local government.

retail shop has the meaning given in the Retail Shop Leases Act 1994.

**Ritamada Beach** means the area identified (hatched in black) on the map of Ritamada Beach which forms part of this schedule 7.

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

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

sexton means a person appointed by the local government to act as the sexton of a local government cemetery

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

SLSQ has the meaning given in Local Law No. 6 (Bathing Reserves) 2011.

*Statue Bay Beach* means the area identified (hatched in black) on the map of Statue Bay Beach which forms part of this schedule 7.

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

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

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

*tourist resort complex* means a complex that operates as a single integrated facility providing all, or substantially all, the recreational and personal needs of guests resident at the complex and visitors at the complex.

unregistered, for a vehicle that is required to be registered under the *Transport Operations* (Road Use Management – Vehicle Registration) Regulation 1999, 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.

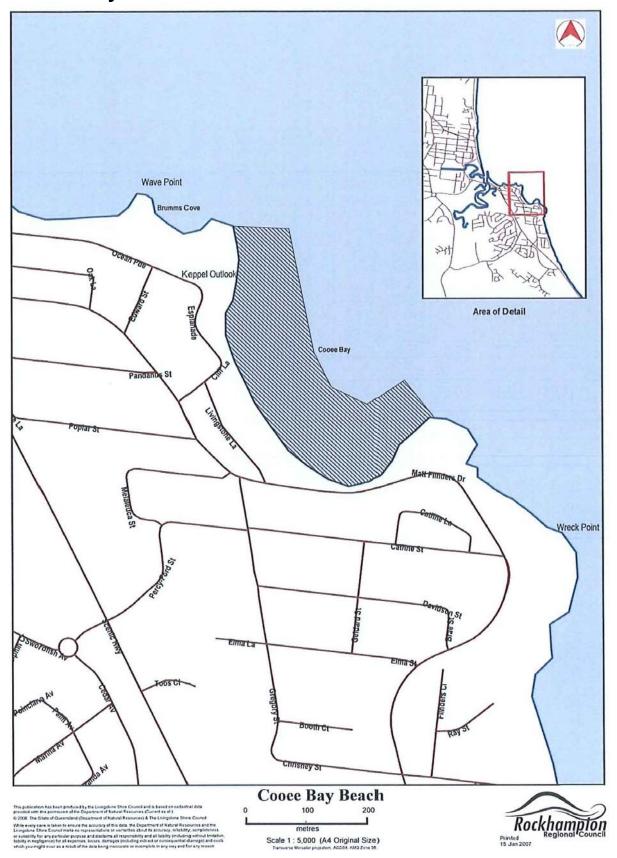
waste has the meaning given in the Environmental Protection Act 1994.

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

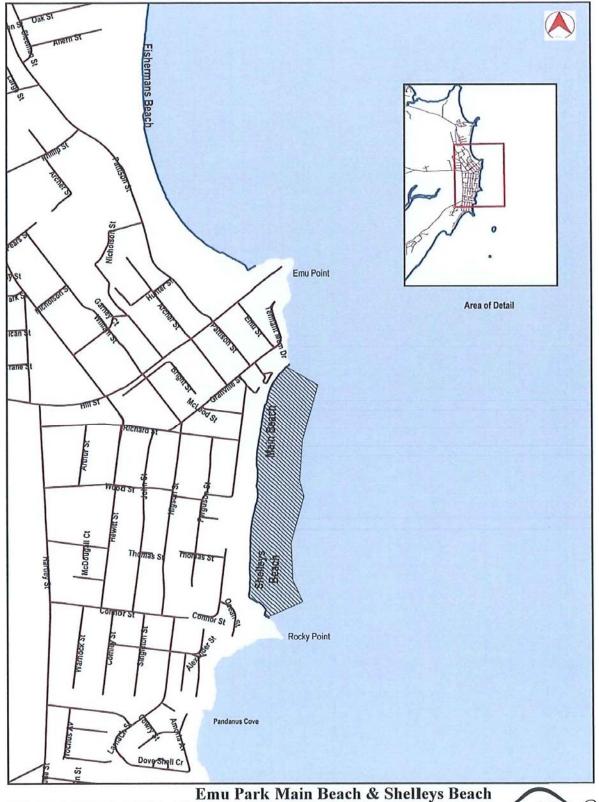
**Yeppoon Main Beach** means the area identified (hatched in black) on the map of Yeppoon Main Beach which forms part of this schedule 7.

**Zilzie/Muskers Beach** means the area identified (hatched in black) on the map of Zilzie/Muskers Beach which forms part of this schedule 7.

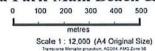
## **Cooee Bay Beach**



## **Emu Park Main Beach and Shelleys Beach**



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Farnborough Beach (North) Perforated Point No vehicles north
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Point Farnborough Beach Fishing Ck Rd Boat ramp and area of foreshore and seashore 50m north of the boat ramp. Area of detail

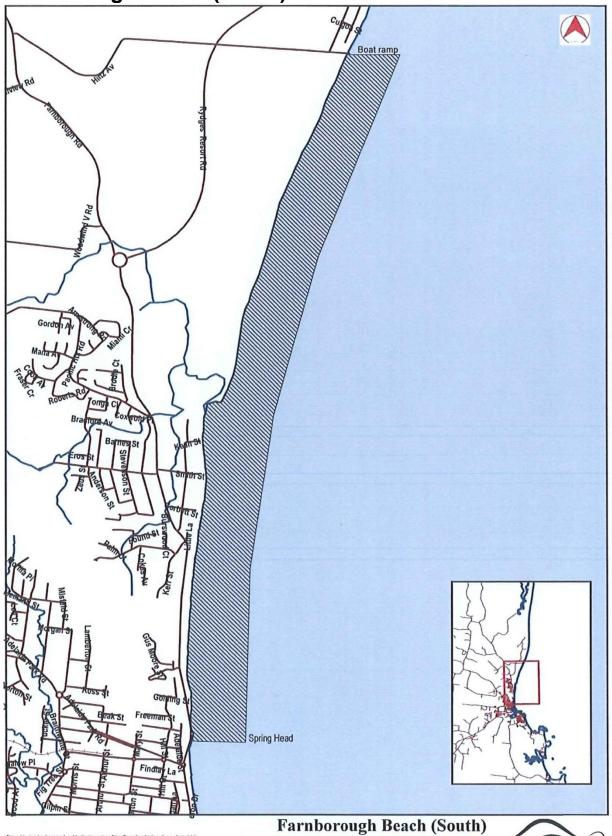
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Farnborough Beach (South)

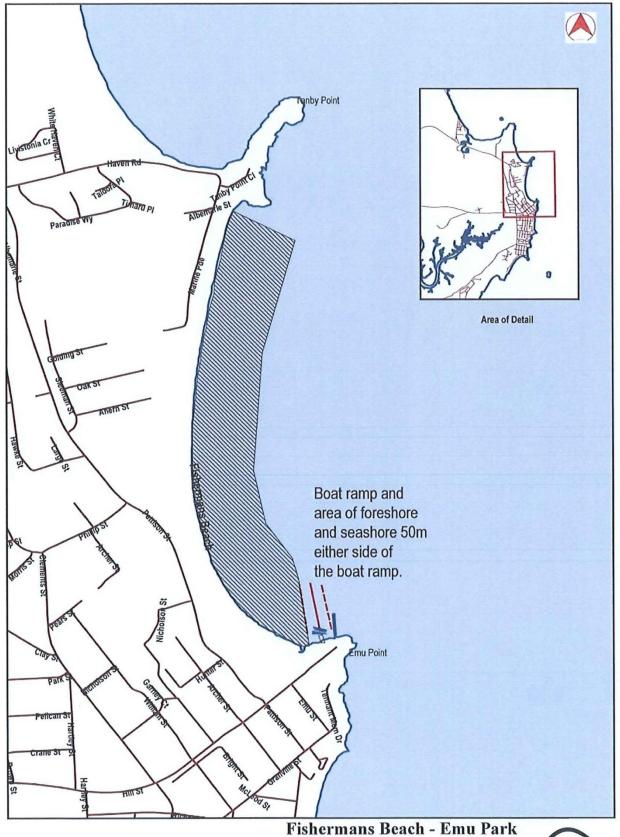


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## Fishermans Beach - Emu Park



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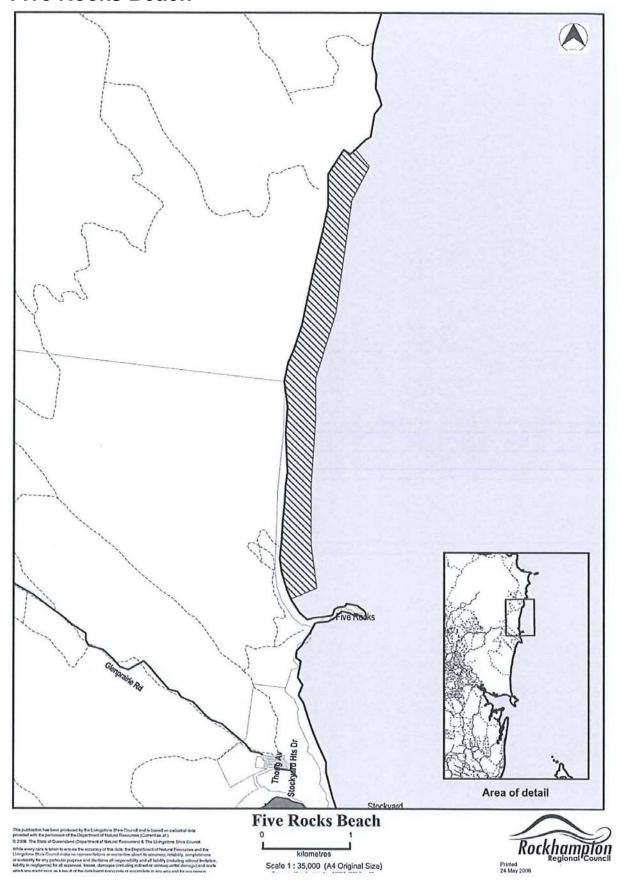
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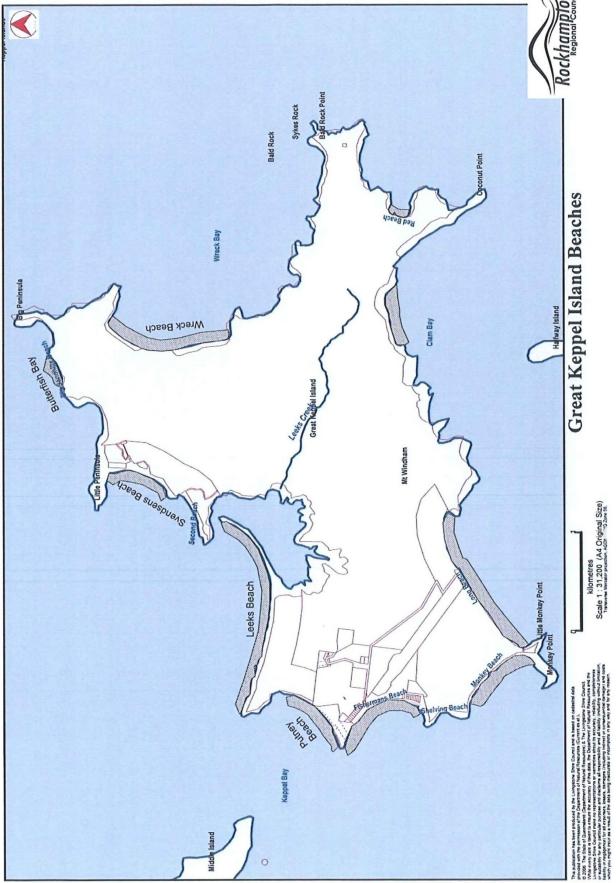
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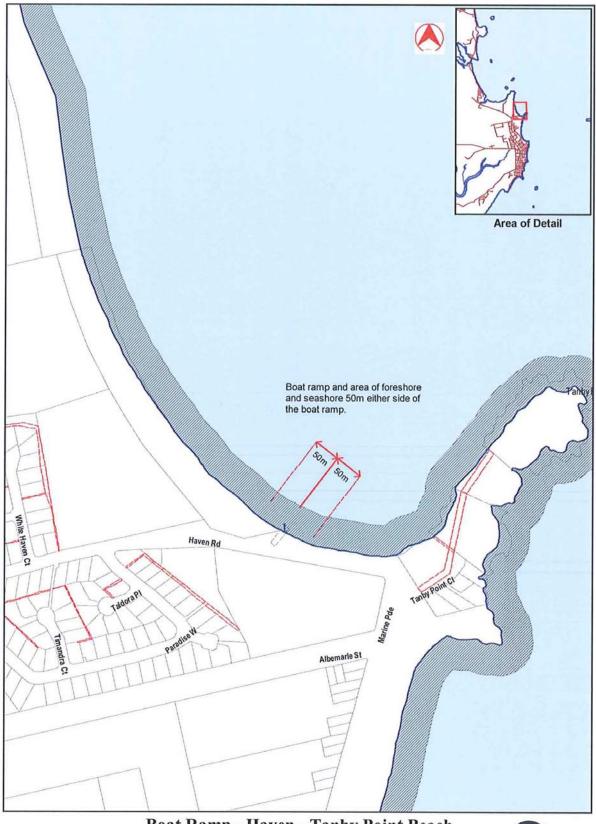
## **Five Rocks Beach**



# **Great Keppel Island Beaches**

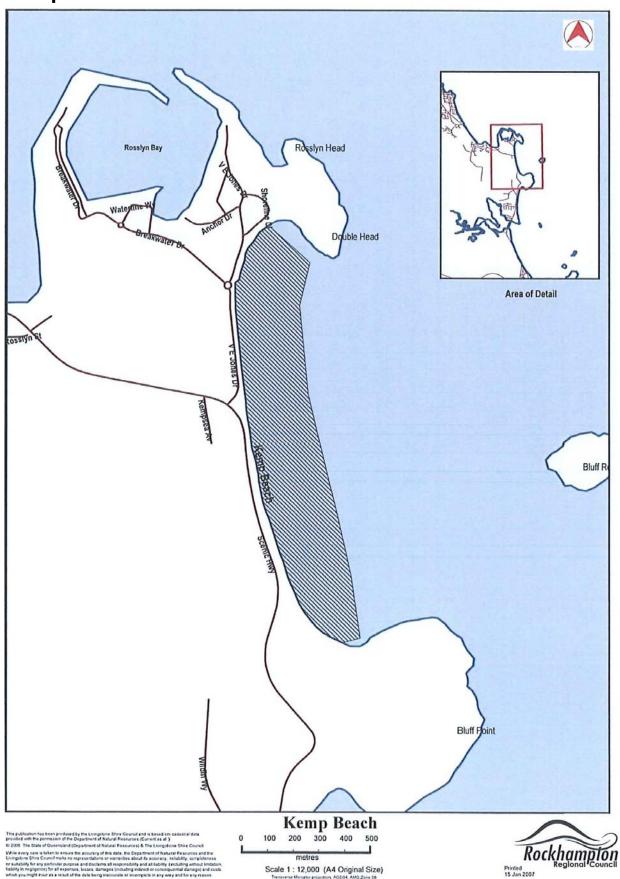


## **Haven – Tanby Point Beach**

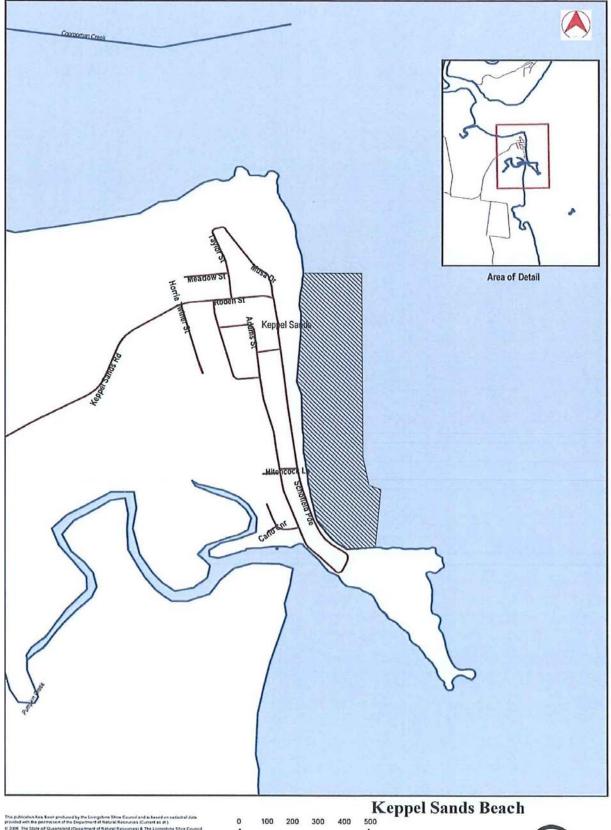




# **Kemp Beach**



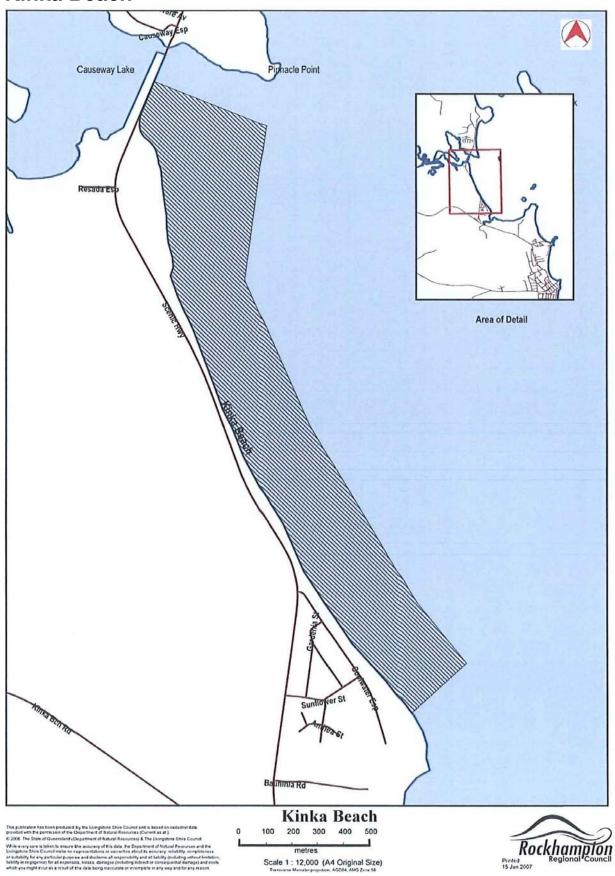
# **Keppel Sands Beach**



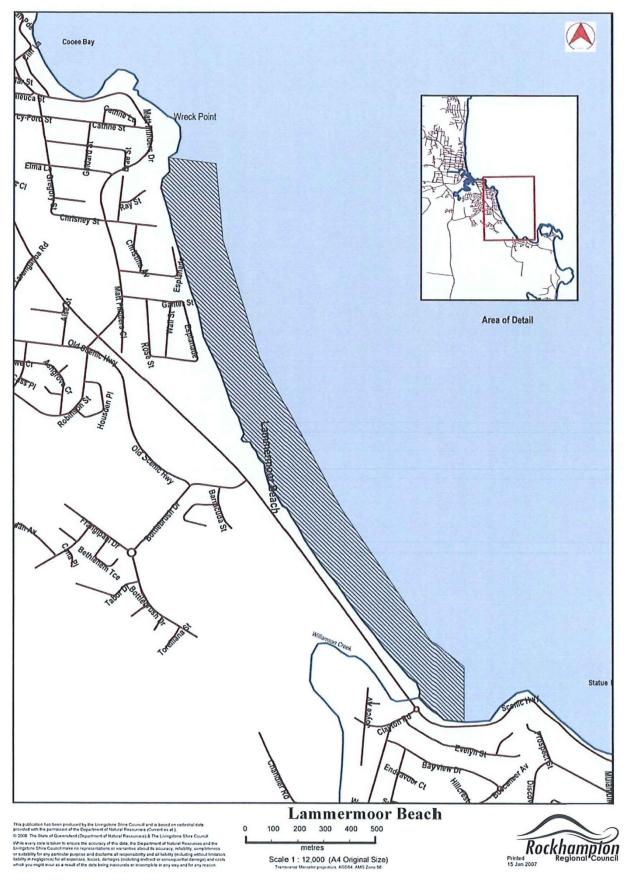
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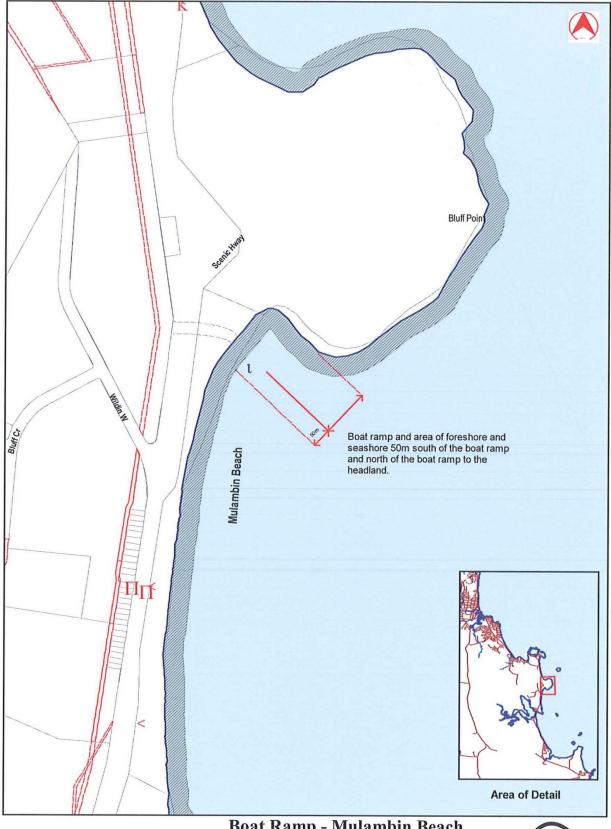
### Kinka Beach



### **Lammermoor Beach**

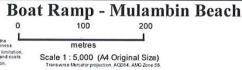


### **Mulambin Beach**



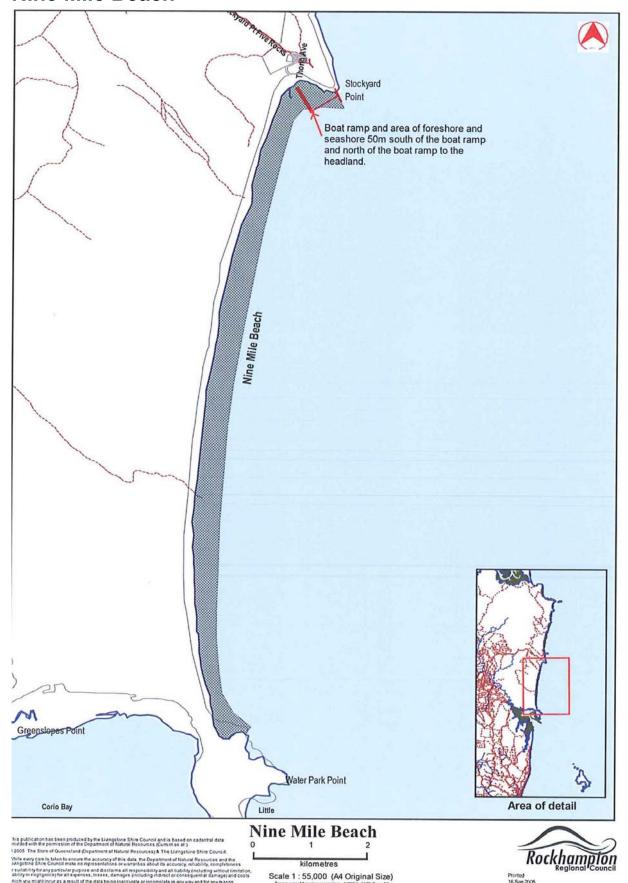
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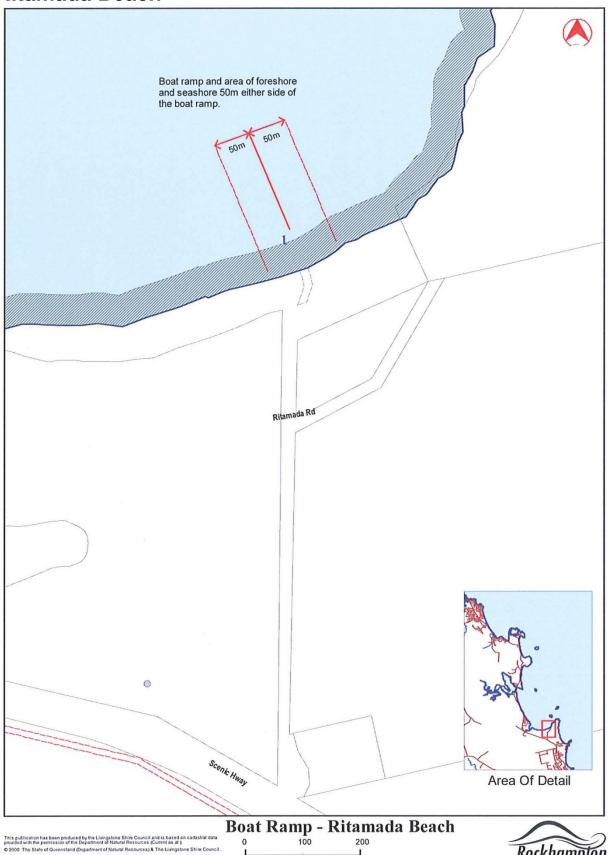




### **Nine Mile Beach**



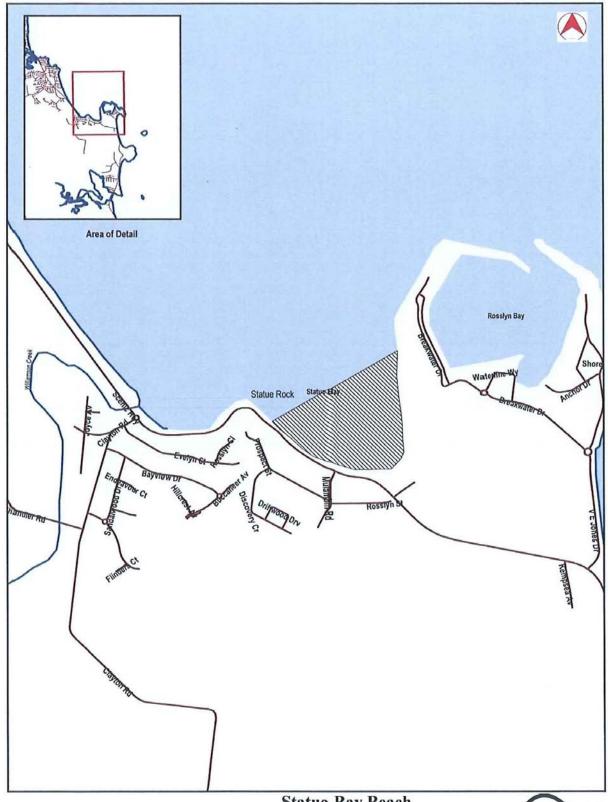
### Ritamada Beach



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## **Statue Bay Beach**



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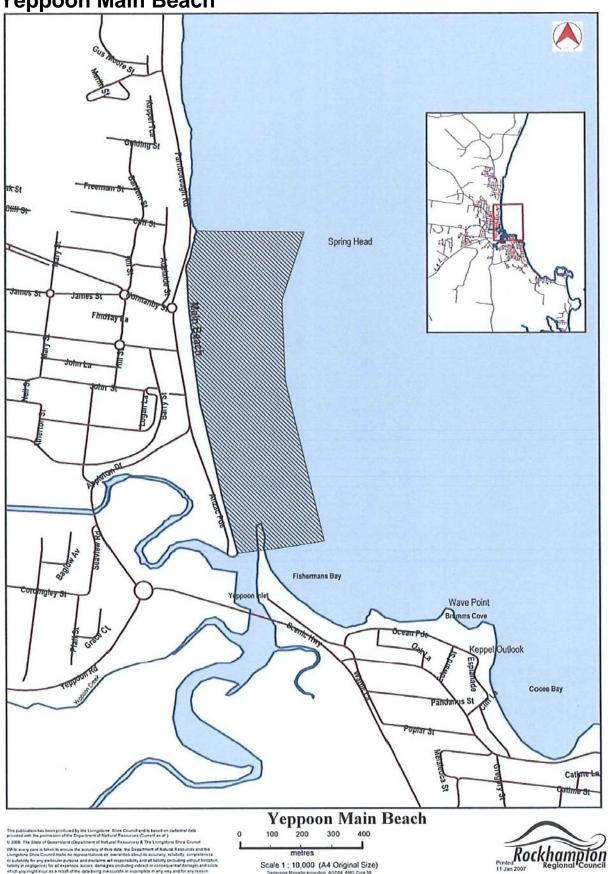
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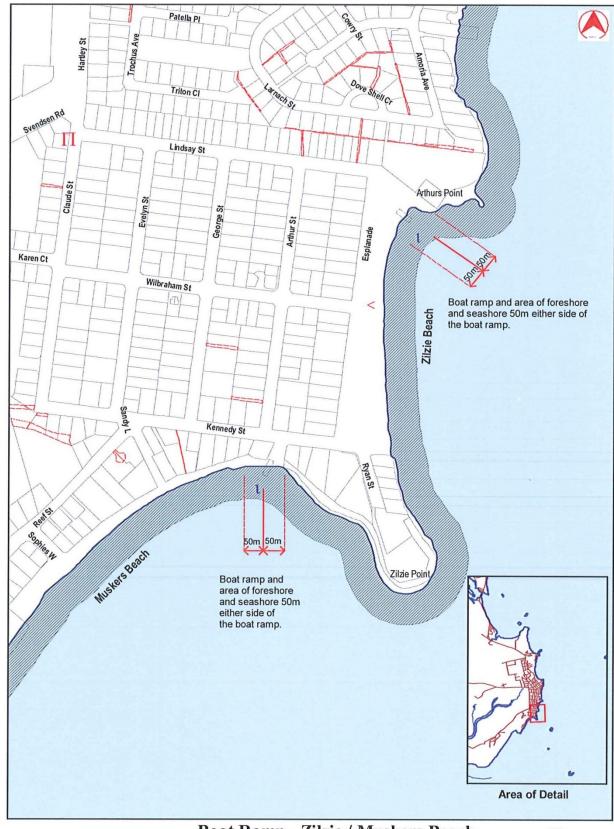
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Yeppoon Main Beach



### Zilzie /Muskers Beach



Boat Ramp - Zilzie / Muskers Beach
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