

## **Sunshine Coast Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011**

### **CONSOLIDATED VERSION NO. 3**

incorporating amendments up to 20 December 2019

adopted by Sunshine Coast Regional Council on 30 January 2020 pursuant to  
section 32 of the *Local Government Act 2009*

## **Sunshine Coast Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure 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, Infrastructure 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, Infrastructure 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, Infrastructure 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 schedule 1 (Dictionary) of *Local Law No. 1 (Administration) 2011*.
- (2) Additionally, in this subordinate local law—

**freestyle** see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

**Parrearra Lake** means the area of the Mooloolah River between—

  - (a) the lock and weir structure adjacent to Chelsea Crescent, Minyama; and
  - (b) the weir adjacent to Premier Circuit, Warana.

**Pelican Waters North** means the body of water between—

  - (a) the lock and weir structure adjacent to Columba Place, Pelican Waters; and
  - (b) the weir and footbridge adjacent to Tweddell Drive, Pelican Waters.

**Twin Waters Residential Lake** means the area of the Maroochy River between—

  - (a) the weir adjacent to Anchorage Circuit, Twin Waters; and

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(b) the bridge at Mudjimba Beach Rd.

*waterski* see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

*wave jump* see the *Transport Infrastructure (Waterways Management) Regulation 2012*.

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

### 5 Prohibited activities, restricted activities and prohibited conduct—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, facilities, infrastructure 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, facilities, infrastructure or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.
- (3) For section 5(1)(c) of the authorising local law, the conduct prescribed in column 2 of schedule 3 is declared to be prohibited conduct in the corresponding local government controlled area, facilities, infrastructure or road (or part thereof) mentioned in column 1 of schedule 3.

### 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 4 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 4 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 4.

## Part 3 Matters affecting roads

### 8 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 13(3)

For section 13(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 13(2) of the authorising local law are that the fence or enclosure provided for restraining an animal to the premises must be sufficient to prevent the animal escaping the owner's land.

## **Part 4 Enforcement**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

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## Schedule 1 Prohibited activities for local government controlled areas, facilities, infrastructure and roads

section 5(1)

Column 1 Local government controlled area or road	Column 2 Prohibited activity
all local government controlled areas and roads	1 interfere with any turf, sand, clay, soil or other material 2 interfere with or wilfully misuse any asset 3 interfere with an animal other than in the course of lawful activity 4 contravene a sign prohibiting fishing, diving or jumping from, or on, a bridge, structure or building 5 park or stand a vehicle that is advertised for sale 6 paint, alter or maintain a vehicle 7 exhibit a sign which indicates interference with a road
all local government controlled areas	1 remove from the area any timber or wood provided by the local government for use as firewood 2 cause, permit or allow a water tap to run water to waste

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## Schedule 2      Restricted activities for local government controlled areas, facilities, infrastructure 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 and roads	interfere with a tree, flora or an indigenous organism	permitted only where authorised under a condition of an approval granted under <i>Local Law No. 1 (Administration) 2011</i>
all local government controlled areas and roads	camp	permitted only— (a) in a place designated by the local government as a camping ground; or (b) where the camping is authorised under a condition of an approval granted under <i>Local Law No.1 (Administration) 2011</i> ; or (c) where the camping is in a place where signage erected by the local government permits camping for a period of time, and the camping has not exceeded the period
all local government controlled areas and roads	abseiling	permitted only— (a) where signs erected by the local government authorise abseiling at the place; or (b) where abseiling is authorised under a condition of an approval granted under <i>Local Law No.1 (Administration) 2011</i> <i>Example for paragraph (b)—</i> An approval for a temporary entertainment event in a park might authorise abseiling.

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<b>Column 1 Local government controlled area or road</b>	<b>Column 2 Restricted activity</b>	<b>Column 3 Extent of restriction</b>
all local government controlled areas and roads	rock climbing	permitted only— (a) where signs erected by the local government authorise rock climbing at the place; or (b) where rock climbing is authorised under a condition of an approval granted under <i>Local Law No.1 (Administration) 2011</i> <i>Example for paragraph (b)—</i> An approval for a temporary entertainment event in a park might authorise rock climbing.
Parrearra Lake, Pelican Waters North and Twin Waters Residential Lake	use a powered vessel to— <ul style="list-style-type: none"> <li>• waterski; or</li> <li>• wave jump; or</li> <li>• freestyle</li> </ul>	permitted only where — (a) either— (i) signs erected by the local government authorise the activity at the place; or (ii) the activity is authorised under a condition of an approval granted under <i>Local Law No.1 (Administration) 2011</i> ; and (b) the activity is not prohibited under State legislation

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### Schedule 3 Prohibited conduct in or on a local government controlled area, facility, infrastructure or road

section 5(3)

Column 1 Local government controlled area or road	Column 2 Prohibited conduct
all local government controlled areas and roads	1 introduce or release any exotic aquatic animal or poultry 2 feed a Class 2 pest animal 3 distribute a business advertising publication 4 tout for business
all local government controlled areas and roads except Maleny Golf Course	hit a golf ball except in the case of putting
all roads	repair a vehicle on a road or footpath, except in an emergency

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## Schedule 4 Motor vehicle access areas in local government controlled areas

section 6

<b>Column 1</b> <b>Motor vehicle access areas</b>	<b>Column 2</b> <b>Prohibited vehicles</b>
<i>This schedule has been intentionally left blank</i>	

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## Endnotes

### 1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before 20 December 2019.

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amendment Subordinate Local Law No.2 (Miscellaneous) 2013	26 July 2013	
2	Amendment Subordinate Local Law No.1 (Miscellaneous) 2016	5 February 2016	
3	Amendment Subordinate Local Law No.3 (Miscellaneous) 2019	20 December 2019	

### 3 List of amending local laws

#### **Amendment Subordinate Local Law No.2 (Miscellaneous) 2013**

date of Council resolution 25 July 2013  
date of gazettal 26 July 2013  
commenced on date of gazettal

#### **Amendment Subordinate Local Law No.1 (Miscellaneous) 2016**

date of Council resolution 28 January 2016  
date of gazettal 5 February 2016  
commenced on date of gazettal

#### **Amendment Subordinate Local Law No.3 (Miscellaneous) 2019**

date of Council resolution 12 December 2019  
date of gazettal 20 December 2019  
commenced on date of gazettal

### 4 List of annotations

#### **Definitions**

s4 amended by Amendment Subordinate Local Law No.3 (Miscellaneous) 2019 s19

#### **SCHEDULE 1—PROHIBITED ACTIVITIES FOR LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS**

amended by Amendment Subordinate Local Law No.2 (Miscellaneous) 2013 s13;  
Amendment Subordinate Local Law No.3 (Miscellaneous) 2019 s20

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**SCHEDULE 2—RESTRICTED ACTIVITIES FOR LOCAL GOVERNMENT  
CONTROLLED AREAS, FACILITIES, INFRASTRUCTURE OR ROADS**

amended by Amendment Subordinate Local Law No.2 (Miscellaneous) 2013 s14;  
Amendment Subordinate Local Law No.1 (Miscellaneous) 2016 s10; Amendment  
Subordinate Local Law No.3 (Miscellaneous) 2019 s21

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