

Website Notice

Local Government Act 2009

Douglas Shire Council (Making of Local Law) Website Notice (No. 1) 2020

Title

1. This notice may be cited as *Douglas Shire Council (Making of Local Law) Website Notice (No. 1) 2020*.

Making of local laws

2. Douglas Shire Council (the "Council") has, by resolution dated 11 February 2020 made —
 - a) each local law identified in schedule 1, column 1; and
 - b) each subordinate local law identified in schedule 1, column 2.

Local law that authorises a subordinate law to be made

3. The local law which authorises each subordinate local law identified in schedule 1, column 2 to be made is identified in the corresponding part of schedule 1, column 3.

Purpose and general effect

4. The purpose and general effect of each local law identified in schedule 1, column 1, and each subordinate local law identified in schedule 1, column 2, is identified in the corresponding part of schedule 1, column 4.

Repealed local laws

5. *Local Law No. 1 (Administration) 2020* repeals the following local laws—
 - a) Local Law No. 1 (Administration) 2011;
 - b) Local Law No. 2 (Animal Management) 2011;
 - c) Local Law No.3 (Community and Environmental Management) 2011;
 - d) Local Law No.4 (Local Government Controlled Areas, Facilities and Roads)2011;
 - e) Local Law No.5 (Parking) 2011;
 - f) Local Law No. 6 (Bathing Reserves) 2011;
 - g) Local Law NO. 59 (Commercial Use of Roads) 2002.
6. *Subordinate Local Law No. 1 (Administration) 2018* repeals the following Subordinate local laws—
 - a) Subordinate Local Law No. 1 (Administration) 2011;
 - b) Subordinate Local Law No. 2 (Animal Management) 2011;
 - c) Subordinate Local Law No.3 (Community and Environmental Management) 2011;
 - d) Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads)2011;
 - e) Subordinate Local Law No.5 (Parking) 2011;
 - f) Subordinate Local Law No. 6 (Bathing Reserves) 2011;
 - g) Subordinate Local Law No. 59 (Commercial Use of Roads) 2002.

Anti-competitive provision

7. Each of the local laws identified in schedule 1, column 1, and subordinate local law identified in schedule 1, column 2, contain anti-competitive provisions.

Inspection

8. A copy of each local law adopted in this notice may be:-
 - a) inspected and purchased at Council's public office at **64-66 Front Street, Mossman, Queensland** and viewed by the public on Council's website; and
 - b) viewed by the public on the Department of Local Government, Racing and Multicultural Affairs website.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4
Name of local law	Name of subordinate local law	Name of authorizing local law	Purpose and general effect of the local law or subordinate local law
<i>Local Law No. 1 (Administration) 2020 (LL1)</i>		Not applicable	The purposes of this local law are to provide a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and specified regulatory powers under legislation, and to provide for miscellaneous administrative matters by providing for— (a) consistent and comprehensive processes for the local government to grant and regulate approvals to undertake prescribed activities; and (b) authorised persons for enforcing local laws; and (c) review of certain decisions made under local laws; and (d) enforcement of local laws; and (e) matters relating to legal proceedings; and (f) miscellaneous administrative matters relating to meetings, fees, abandoned goods and seized and impounded items.
	<i>Subordinate Local Law No. 1 (Administration) 2020</i>	LL1	The purpose of this subordinate local law is to supplement LL1 which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters by providing for— (a) various matters regarding the granting of approvals for prescribed activities; and (b) further specification of the definitions relevant to various prescribed activities.
<i>Local Law No. 2 (Animal Management) 2020 (LL2)</i>		Not applicable	(1) The purpose of this local law is to regulate and manage the keeping and control of animals in the local government's area in a way that— (a) balances community expectations with the rights of individuals; and (b) protects the community against risks to health and safety; and (c) prevents pollution and other environmental damage; and (d) protects the amenity of the local community and environment. (2) The purpose is to be achieved by providing for— (a) the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept; and (b) the prescription of minimum standards for keeping animals; and (c) the proper control of animals in public places and koala conservation areas; and (d) the management of dangerous or aggressive animals other than dogs; and (e) the seizure and destruction of animals in certain circumstances; and (f) the establishment and administration of animal pounds.
	<i>Subordinate Local Law No. 2 (Animal Management) 2020</i>	LL2	The purpose of this subordinate local law is to supplement LL2, which provides for regulation of the keeping and control of animals within the local government's area by providing for— (a) the circumstances in which the keeping of animals is prohibited or requires approval; and (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and (c) the control of animals in public places; and (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and (e) the conditions to be complied with by persons who offer animals, or a particular species of animals, for sale; and (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.
<i>Local Law No. 3 (Community and Environmental Management) 2020 (LL3)</i>		Not applicable	The purpose of this local law is to protect the environment and public health, safety and amenity within the local government's area by elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from— (a) inadequate protection against animal and plant pests; and (b) vegetation overgrowth; and (c) visual pollution resulting from accumulation of objects and materials; and (d) fires and fire hazards not regulated by State law; and (e) community safety hazards; and (f) noise that exceeds noise standards.
	<i>Subordinate Local Law No. 3 (Community and Environment Management) 2020</i>	LL3	The purpose of this subordinate local law is to supplement LL3 which provides for protecting the environment and public health, safety and amenity within the local government's area by providing for— (a) declaration of local pests; and (b) prohibition of lighting or maintaining certain fires; and (c) declaration of fire hazards; and (d) declaration of community safety hazards; and (e) prescribed requirements for owners of land containing community safety hazards; and (f) declaration of noise standards.
<i>Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2020 (LL4)</i>		Not applicable	(1) The purpose of this local law is to— (a) protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads; and (b) 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 on local government controlled areas or roads; and (c) miscellaneous matters affecting roads.
	<i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2020</i>	LL4	The purpose of this subordinate local law is to supplement LL4 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 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.
<i>Local Law No. 5 (Parking) 2020 (LL5)</i>		Not applicable	The purpose of this local law is to complement the regulated parking provisions in chapter 5, part 6 of the TORUM Act by providing for the exercise of local government powers authorised under that Act by providing for— (a) the establishment of traffic areas and off-street regulated parking areas; and (b) lawfully parking contrary to an indication on an official traffic sign with a parking permit or in a loading zone with a commercial vehicle identification label; and (c) the prescribing of infringement notice penalties for minor traffic offences.
	<i>Subordinate Local Law No. 5 (Parking) 2020</i>	LL5	The purpose of this subordinate local law is to supplement LL5, which provides for the exercise of local government powers authorised under the TORUM Act by providing for— (a) the establishment of traffic areas and off-street regulated parking areas; and (b) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic

			<p>sign; and</p> <p>(c) the vehicles that can be issued with commercial vehicle identification labels; and</p> <p>(a) (d) the infringement notice penalty amounts for minor traffic offences.</p>
Local Law No.6 (Bathing Reserves) 2020 (LL6)		Not applicable	<p>The purpose of this local law is to enhance the public safety and convenience of bathing reserves placed under the local government's control by:</p> <p>(a) the designation and management of safe, supervised bathing areas; and</p> <p>(b) the regulation of conduct and the use of aquatic equipment; and</p> <p>(c) the assignment of responsibility to life-saving clubs for managing, patrolling and supervising bathing reserves.</p>
	Subordinate Local Law No. 6 (Bathing Reserves) 2020	LL6	<p>The purpose of this subordinate local law is to supplement LL6, which provides for the orderly management and regulation of activities within bathing reserves by:</p> <p>(a) the regulation of the use of aquatic equipment within bathing reserves; and</p> <p>(b) the appointment and powers of authorized persons to manage and enforce regulation of conduct within bathing reserves.</p>