

MAKING LOCAL LAW AND SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS) 2015

Objective Reference:

Authorising Officer: John Oberhardt, General Manager Organisational Services

Responsible Officer: Tony Beynon, Group Manager Corporate Governance

Report Author: Kristene Viller, Policy and Local Laws Coordinator

Attachments:

1. Community Consultation Submission Review
2. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015
3. Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019
4. Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2015
5. Amending Subordinate Local Law No.2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019
6. State Interest Check Report

PURPOSE

The purpose of this report is to:

1. Present the results of the community consultation process that was undertaken for *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.
2. Present the results of the community consultation process that was undertaken for *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.
3. Proceed with making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.
4. Proceed with making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

BACKGROUND

At the General Meeting on 10 October 2018 Council made a resolution to commence the process for amending *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The amendments include:

- Introduction of the concept of a bona fide user to assist to reduce the anti-social behaviour in parks and reserves;
- Inclusion of provision prohibiting use of roads in reserves as thoroughfares; and
- Inclusion of provision prohibiting cars in reserves after hours.

At the General Meeting on 6 March 2019 Council made a further resolution to commence a community consultation process, inviting submissions on the proposed local law.

The amendments to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* are detailed in the amending instrument (Attachment 3).

Please note that in the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 (Attachment 2)* the only changes made were to:

Section	Amendment
Part 4	Renumbered to Part 5
Section 12	Renumbered to section 13
Part 4	New section Enforcement
Section 12	New section compliance directions

At the General Meeting on 12 December 2018 Council made a resolution to commence the process for amending *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The amendments include:

- New prohibited activities to ensure appropriate use of parks and reserves;
- Creation of new category: canoe/kayak pontoons
- Addition of the canoe/kayak pontoon at Raby Bay Esplanade Park to the schedule of canoe/kayak ramps;
- New prohibited and restricted activities for canoe/kayak ramps.

At the General Meeting on 6 March 2019 Council made a further resolution to commence a community consultation process, inviting submissions on the proposed local law.

The amendments to *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* are detailed in the amending instrument (Attachment 5).

Please note that in the consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 (Attachment 4)* the only changes made were to:

Section	Amendment
Schedule 1, Item 5, Column 2	Insert a nuisance after 'cause fear'
Schedule 1, Item 5, Column 2	Insert new provisions (r), (s) and (t)
Schedule 1, items 8 to 15	Renumbered as items 9 to 16
Schedule 1, Item 8	New section for canoe/kayak pontoons
Schedule 2, items 7 to 10	Renumbered as items 8 to 11
Schedule 2, Item 7	New section for canoe/kayak pontoons
Schedule 4, Item 1, Column 1	Insert canoe/kayak pontoons after "All"
Schedule 4, Item 1, Column 2	Insert new provision for part use after 'daily'
Schedule 6, Table 1	Removal of the following jetties Jetty, Fixed Platform – Elizabeth St Harbour Jetty, Fixed Platform – Banana St Harbour
Schedule 6, Table 1	Inclusion of new jetties: Jetty, Pontoon – Elizabeth St Harbour Jetty, Pontoon – Master Avenue Harbour Jetty, Pontoon – Yabby Street
Schedule 6, Table 1, Item 19, Column 1	Insert Marina after 'Jetty Pontoon' for the Banana St Harbour Pontoon
Schedule 6, Table 2	Inclusion of new ramps: Ramp, Barge – Masters Ave Harbour Ramp, Boat – William St North Ramp, Boat – Masters Ave Harbour
Schedule 6, Table 2	Inclusion of new floating walkways: Floating Walkway – Colburn Ave Floating Walkway – William St

Section	Amendment
Schedule 6, Table 2, Item 7, Column 1	Replace Barge with Boat
Schedule 6, Table 2, Item 9, Column 2	Insert Moores Road to the Location Description
Schedule 6, Table 2, Item 22, Column 1	Reworded description from Boat Ramp – William Street to Ramp, Boat – William Street South
Schedule 6, Table 2	Removal of Ramp, Combined – Masters Ave Harbour
Schedule 6, Table 3	Insertion of new table canoe/kayak pontoons which includes: Pontoon – canoe/kayak – Mainland Ormiston
Schedule 7	Insert definition for bona fide user
Schedule 7	Insert definition for canoe/kayak pontoon
Schedule 7	Amend definition of landing to exclude canoe/kayak pontoons

ISSUES

State Interest Checks

In accordance with Council's adopted local law making process a state interest check was completed on *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

All relevant State Government Departments were invited to provide comments on the draft local law. State Departments' comments and Council's response are identified in Attachment 6.

Public Interest Review

The *Local Government Act 2009* (the Act) requires that any local law made with anti-competitive provisions is to comply with the procedures prescribed under a regulation for the review of the anti-competitive provisions. Review of the attached local laws found that no anti-competitive provisions were present.

Community Consultation

In accordance with Council's adopted local law making process and Council resolution of 6 March 2019, community consultation was undertaken to allow the community the opportunity to provide comment on the proposed local law. Submissions were invited from 7 March to 28 March 2019. All properly made submissions were considered. The report detailing the community feedback is provided in Attachment 1.

No proposed amendments were identified from the community consultation.

Local Law Implementation

Should Council make the amending local laws attached to this report, notice must be given to the public within one month, through publication in the Queensland Government Gazette and on Council's website. The law comes into effect on either the date published in the gazette or a date nominated by Council in the gazettal notice.

STRATEGIC IMPLICATIONS

Legislative Requirements

The *Local Government Act 2009* Chapter 3, Part 1, provides power for local governments to make and enforce local laws and sets the framework that the local governments must adhere to. Council has adopted a Local Law Making Process that is consistent with the *Local Government Act 2009* provisions. This process has been followed in the making of the local law attached to this report.

The local laws have been drafted by Council's external solicitors in accordance with the *Local Government Act 2009*, the Guidelines for Drafting Local Laws issued by the Parliamentary Counsel and the principles under the *Legislative Standards Act 1992*.

Part D of Council's adopted Local Law Making Process (adopted 20 March 2019) sets out the required steps for making the Amending Instrument. The first 6 steps in the Local Law Making Process involve making the Amending Instrument and steps 7 to 10 relate to notifying the public and Minister about the Amending Instrument.

Risk Management

The risks associated with making the local law has been managed by:

- a) ensuring the process to make the local laws is in accordance with legislative standards and the adopted Redland City Council Local Law Making Process;
- b) comprehensive internal stakeholder engagement to ensure the local laws will promote effective governance to the community;
- c) utilising external solicitors to draft the local laws to ensure the legislative principles are followed in the drafting; and
- d) conducting a review of the identified anti-competitive provisions to ensure adherence to the National Competition Policy Guidelines.

Financial

The cost of drafting the local law is funded through existing budget allocations within the Legal Services Unit.

People

The local law will have an impact on the resourcing within the Compliance Services Unit, who will take on the responsibility for enforcement provisions in the local laws. It is anticipated that this work will be absorbed by current resourcing.

Environmental

There are no environmental implications.

Social

Local Government provides for the good governance of the local government area through their local laws. *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* attached to this report has the potential to impact all members of the Redlands Community.

Community consultation provided the opportunity for community members to have their say on the proposal through providing a submission. The attached Community Consultation Report details the outcome of this consultation period.

Alignment with Council's Policy and Plans

The process for making the proposed local laws is in accordance with Council's adopted practice for making local laws.

This process is in keeping with Council's Corporate Plan Priority 8, Inclusive and Ethical Governance for deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Senior Engineer Marine and Water Assets	February 2019 – March 2019	Advised of the community consultation plan. Date the paper would be presented to Council for adoption of the amended local law provided. Submission requiring additional information provided for feedback.
Service Manager Compliance Services	February 2019 – March 2019	Advised of the community consultation plan. . Date the paper would be presented to Council for adoption of the amended local law provided. Submission requiring additional information provided for feedback.
Senior Advisor Strategic Communication and Community Engagement	February 2019 – March 2019	Preparation of community consultation material, management of yoursay site and data collation. Provided input to analysis of responses.
Senior Advisor Community Engagement	February 2019 – March 2019	Preparation of community consultation material, management of yoursay site and data collation. Provided input to analysis of responses.
Governance Service Manager	February 2019 – March 2019	Reviewed the community consultation results and the final report requesting adoption of the amending local laws.
Policy and Local Laws Coordinator	February 2019 – March 2019	Prepared community consultation report, facilitated the drafting of amending instruments and conducted state interest checking process.
External Solicitors	February 2019 – March 2019	Prepared amending instruments.
Elected Representatives	February 2019 – March 2019	Divisional Councillor provided details on the community consultation process – dates of each activity.

OPTIONS

Option One

In accordance with Council's Local Law Making Process adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, Council resolves to:

1. receive and note the Community Consultation in the attached report Community Consultation Submission Review (Attachment 1) and to implement the recommendations of this report;
2. receive and note the attached State Interest Check report (Attachment 6);
3. proceed:
 - a. as advertised, with the making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - b. to make *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;
 - c. to adopt the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - d. to give notice of the making and commencement of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
4. proceed:
 - a. as advertised, with the making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - b. to make *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;

- c. to adopt the consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - d. to give notice of the making and commencement of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
5. Authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

Option Two

That Council resolves not to make *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* and *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

OFFICER'S RECOMMENDATION

In accordance with Council's Local Law Making Process adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, Council resolves to:

1. receive and note the Community Consultation in the attached report **Community Consultation Submission Review (Attachment 1)** and to implement the recommendations of this report;
2. receive and note the attached State Interest Check report (Attachment 6);
3. proceed:
 - e. as advertised, with the making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - f. to make *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;
 - g. to adopt the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - h. to give notice of the making and commencement of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
4. proceed:
 - e. as advertised, with the making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - f. to make *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;
 - g. to adopt the consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - h. to give notice of the making and commencement of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
5. Authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

Local Law 4 and Subordinate Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2015 Community Consultation Report

Prepared by Corporate Governance
March 2019





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Background

To improve recreational access to the bay, Council constructed a canoe and kayak launching pontoon at Raby Esplanade Park, Ormiston. Raby Esplanade Park was identified through the Redlands Open Space Strategy, a separate park Master Planning process and a petition (signed by 152 petitioners) as an ideal site for the facility.

It was identified in October 2018 that the Local Laws required to support the enforcement of unlawful or anti-social behaviour at the pontoon were not in place. In addition it was noted that a minor amendment to the local law was required to manage similar behaviour in Council's parks and reserves.

In October 2018, Council resolved to commence the Local Law Making Process for Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 and in December 2018 resolved to commence the process for Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015. The amendments proposed provide Council with the ability to regulate the use of canoe/kayak pontoons and parks and reserves for lawful purposes.

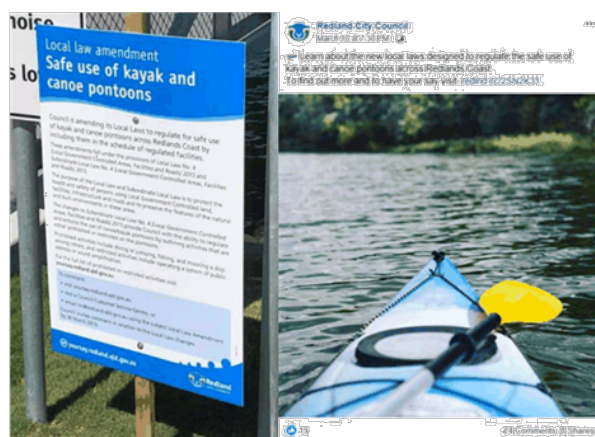
Community Consultation Summary

Community consultation opened on 7 March 2019 and closed 28 March 2019.

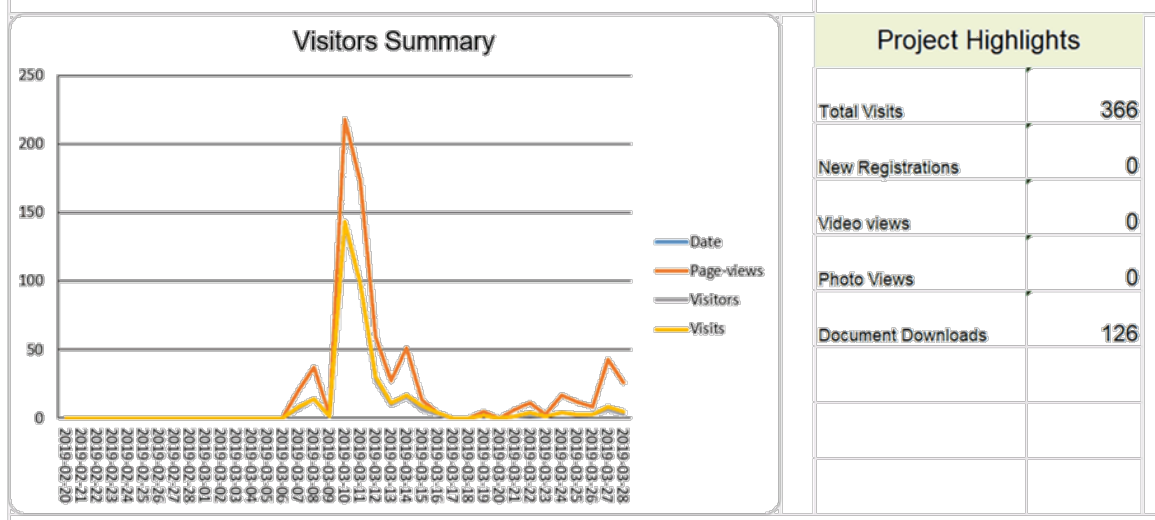
The community consultation was conducted using the IAP2's Public Participation Spectrum. The spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program. This community engagement was conducted using the 'Inform' level of participation with the goal being to provide the public with balanced and objective information to assist them in understanding the problem, solution and obligations for use of canoe/kayak pontoons in Redlands.

Consultation was promoted through newspaper advertising, social media, signage at the pontoon and a letterbox drop to immediate neighbours. To encourage participation across all stakeholder groups, a variety of feedback mechanisms were provided, including online (through the yoursay page), in person at Council customer service centres and via email to the corporate email address.

A total of 22 submissions were received.



Summary of Visitors to the Yoursay site



ENGAGED PARTICIPANTS	14		
Engaged Actions Performed	Registered	Unverified	Anonymous
Contributed on Forums	0	0	0
Participated in Surveys	0	0	14
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Places	0	0	0
Contributed to Ideas	0	0	0

INFORMED PARTICIPANTS	114
Informed Actions Performed	Participants
Viewed a video	0
Viewed a photo	0
Downloaded a document	104
Visited the Key Dates page	3
Visited an FAQ list Page	0
Visited Instagram Page	0
Visited Multiple Project Pages	99
Contributed to a fool (engaged)	14

AWARE PARTICIPANTS	318
Aware Actions Performed	Participants
Visited at least one Page	318

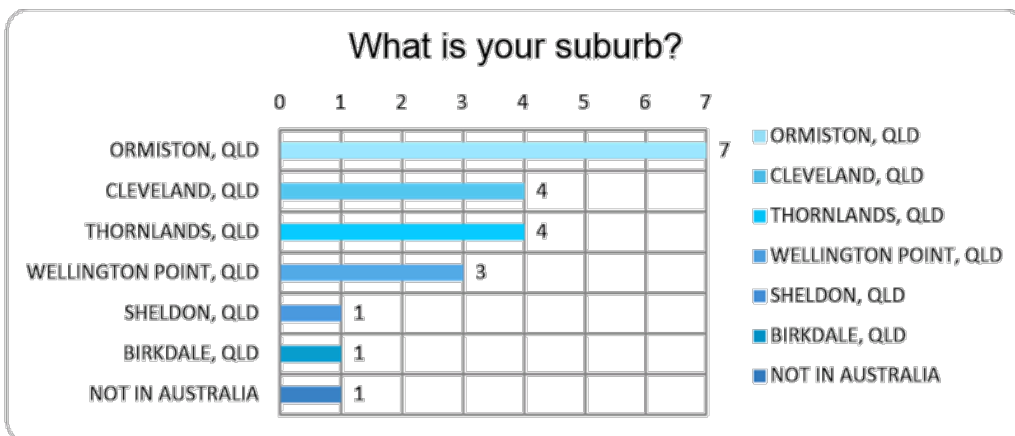
Community Consultation Metrics

Awareness and participation from the community was strong however submission numbers were low. Low submissions with this level of awareness indicate the community was interested in the changes and reasonably happy with the proposed amendments.

Community Consultation Metrics	
Activities Driving Awareness	Metrics
Facebook Post reach (RCC)	7383
Bulletin Advertisement	1
Letterbox drop to neighbouring residents (Councillor Boglary)	50

Community Consultation Metrics	
Participation Activities	
Facebook post shares, likes and reactions (RCC)	56
Yoursay page visits	366
Yoursay documents views and downloads	126
Participants Providing Feedback	
Yoursay contributions	21
Emails	1

Respondents were required to identify themselves for online submissions, the below graphic represents the suburbs that contributors reside in.

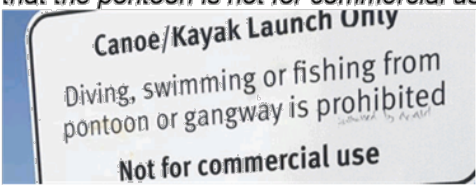


Data Review

The engagement provided the community with the opportunity to provide feedback on the proposed amendments to the local laws. In this case the amendments included:

1. Establishing Prohibitions on the use of canoe/kayak pontoons;
2. Establishing restrictions on the use of canoe/kayak pontoons;
3. Updating the schedule of opening hours of parks and reserves to include canoe/kayak pontoons; and
4. Establish an enforcement provision which allows other than Council officers to move people on from parks and reserves if they are using the areas for other than the intended use.

A summary of that feedback is below.

Facts and Circumstances	Council Response
<i>The amendments make good sense.</i>	<i>No change to local law</i>
<i>I fail to see how prohibited activities F, G, K and O are any more detrimental to health and safety if done at a kayak pontoon than from any other location along a creek, lake or the sea.</i>	<i>No Change. The prohibited activities are in place to ensure the health and safety of pontoon users. These same prohibited activities exists for boat ramps and landings in the Redlands.</i>
<i>The Local Law appears adequate. The issue now is does the Council have the ability to implement the Local Law and manage the facility.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>I approve of the amendment. Council needs authority to police the canoe pontoon at Raby Esplanade Park. It has caused a great deal of disturbance to residents with a lot of people using it for swimming and fishing and loud noises at night.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>I agree with the proposal. It is vital Council has the authority to enforce its policy of prohibited activities. The pontoon at Raby Esplanade Park is being used extensively for prohibited activities which impacts severely on residents in the area.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>What's the point of having a pontoon if you are going to restrict its use to just kayakers/canoe paddlers? Paddlers are happy to share the space as long as their entry and exit points are not obstructed.</i>	<i>No change. The pontoon at Raby Esplanade Park has been purpose built for the use of kayaks and canoes. The restrictions Council has in place are to ensure the unobstructed enjoyment of the facility by those users.</i>
<i>I agree with the amendments. We would have not have agreed for Council to build the pontoon if you were going to allow fishing, swimming, diving, mooring on this pontoon.</i>	<i>No change.</i>
<i>I agree with the amendments. You told us when you built it it was for Canoes and Kayaks only. Were you lying? Why are you asking us again?</i>	<i>No change. The original community consultation undertaken in February 2017 related to the construction of the facility. This engagement is in relation to the local law and the restricted and prohibited activities that apply to the pontoon now that it is constructed.</i>
<i>I agree with the amendments.</i>	<i>No Change</i>
<i>Please clarify "in the water around" on both page 1 and 2. This could be anywhere from the pontoon edge to the next legal boundary on the other side of the canal. You should also include prohibition of commercial activities on and around the pontoon.</i>	<i>No change. Current signage at the pontoon indicates that the pontoon is not for commercial use.</i> 

Facts and Circumstances	Council Response
	<p><i>The language in the water around is used throughout the local law not just in relation to canoe/kayak pontoons. To place a distance in the Local Law may restrict usage of areas where there is no actual impact to the use and enjoyment of the pontoon. The local law provides for response to issues in the event of an obstruction to the use of the pontoon.</i></p>
<p><i>Items (l) and (m) should include the words "except in an emergency"</i></p>	<p><i>No change. Consideration of this will be made at the time an offence is detected.</i></p>
<p><i>I would like to advise that it is good to have a Local Law for the use of the kayak and canoe pontoon at Raby Bay Esplanade but as we live in the area we have continually noticed that there are not many kayak and canoes (we have seen 2) using the pontoon but it is regularly used for fishing and diving and jumping even though there is a sign at the entrance stating these are prohibited.</i></p> <p><i>Will this be policed and infringement notices issued? or will it just be allowed to happen?</i></p> <p><i>We walked past it this morning (Saturday) and there were 2 people fishing off the pontoon and walkway.</i></p>	<p><i>No change. This new provision of the Local Law will be enforced once gazetted</i></p>
<p><i>These laws are essential however signage stating laws is proving ineffective in controlling misuse of Ormiston Canoe/Kayak Launch. More research needs to be done on demographic and location prior to installation of a facility not after to control misuse.</i></p>	<p><i>No change. This new provision of the Local Law will be enforced once gazetted</i></p>
<p><i>What about prohibiting smoking and littering on the pontoon, also it looks as though actually kayaking or canoeing from the pontoon is restricted, what does that mean?</i></p>	<p><i>No Change. The only restriction of canoe or kayak use at the pontoon is if the activity obstructs another person's use of the pontoon. If there is not obstruction than there is no restriction.</i></p>
<p><i>To prevent (if we can) antisocial and dangerous use of the pontoon, a gate could be fitted and locked at sundown and open at sunrise. It should be designed so that while it is effective, it does not look unsightly. Amend the law to prohibit night time use.</i></p>	<p><i>No change. The opening hours of the pontoon are from 4am to 10pm, night time use is prohibited.</i></p>

Other feedback received outside of the question surveyed

The community consultation sought to understand the communities position on the proposed local law changes to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The below feedback was also received during the consultation period, this does not related to the local law amendment but has been recorded and provided to the Marine Infrastructure Asset Management Unit for consideration.

1. *Let kids have fun, jump off & enjoy these platforms. Ensure the water depth at these locations allow this for safety. Help kids get outside enjoying activities instead of sitting behind computers inside, hanging around shopping centres or doing drugs.*
2. *Severely Miss-used asset, could think of plenty of better places for it to have been installed/moved to.*
3. *It is in the wrong spot and no one uses it for its intended purpose and needs it be moved.*
4. *Raby Bay Kayak pontoon is in the wrong place. We pass it often and have not once seen kayaks being used on it, rather boats moored against it or people fishing off it.*
5. *Severely miss-used council asset. Never once seen a kayak on it. Much better places for it to be.*
6. *Never once seen a kayak launched off the Raby Bay Kayak Pontoon, rather people fishing and causing trouble. Please move the pontoon to an alternative location.*
7. *The pontoon is in the wrong location it needs to be moved as soon as possible, it is not being used for its intended use. It is in the wrong spot. Nobody uses it for kayak launching. Move it to the beach beside the VMR base end of Williams street. NOW.*
8. *One question needs answering what is the councils position given the pontoon was not constructed as advertised.*
9. *The pontoon needs a gate to be locked every night to stop people partying, playing loud music and excessive noise and fishing and leaving a mess.*
10. *The pontoon needs a gate to be locked at night time to reduce the misuse.*

Recommendation

Following an analysis of the data received it is recommended that Council adopt the changes to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

Appendix 1 – Facebook Post Data

Post Details
✕

Redland City Council

Published by Jane Dyson on 10 March at 19:30

[Like Page](#)

Learn about the new local laws designed to regulate the safe use of kayak and canoe pontoons across Redlands Coast. To find out more and to have your say visit [redlnd.cc/2SNzK31](#)

✔ Get more likes, comments and shares
 Boost this post for \$43 to reach up to 22,000 people.

7,383
People reached

681
Engagements

Boost Post

Craig Russell, Wendy Bogdan, and 37 others
23 Comments · 9 shares

Like
Comment
Share

Performance for your post

7,383 People reached

56 Reactions, comments & shares

19	19	0
Like	On post	On shares
1	0	1
Haha	On post	On shares
27	24	3
Comments	On post	On Shares
9	8	1
Shares	On Post	On Shares

625 Photos

40	233	352
Photo views	On video	On photo

NEGATIVE FEEDBACK

4	0	0
Hide Post	Hide All Posts	Report Post
0	0	0
Report as Spam	Unlike Page	Report Page

Reported items may be delayed from what appears on posts

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Item - Attachment 1

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Appendix 2 - Photographs of Prohibited and Restricted Activities taking place at Pontoon



Jumping and Diving



Riding Bikes



Mooring Boats

Fishing



Rope Swing





Redland City Council

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

It is hereby certified that this a true and correct copy of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 3 April 2019.

A. Chesterman
Chief Executive Officer



Redland City Council

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

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*Redland City Council Local Law No. 4
(Local Government Controlled Areas, Facilities and Roads) 2015*

2

Part 1 Preliminary

1 Short title

This local law may be cited as *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 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.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws¹

This local law is—

- (a) in addition to and does not derogate from laws² regulating the use of trust land and roads; and
- (b) to be read with *Local Law No. 1 (Administration) 2015*.

¹ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

² Other legislation that may be relevant in the application of this local law includes the *Land Act 1994*, the *Land Regulation 2009* and the *Land Protection (Pest and Stock Route Management) Act 2002*.

Part 2 Use of local government controlled areas, facilities and roads³

5 Prohibited and restricted activities

- (1) The local government may, under a subordinate local law, declare an activity to be—
- (a) prohibited in a local government controlled area or road (a *prohibited activity*); or
 - (b) restricted in a local government controlled area or road (a *restricted activity*).

Example for paragraph (a)—

The local government may declare that the lighting of fires is a prohibited activity in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

Example for paragraph (b)—

The local government may declare that the playing of sport generally, or the playing of certain sports, is a restricted activity in that it is restricted to particular times of the day, week, month or year in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

- (2) The local government must take reasonable steps to provide notice to members of the public regarding restricted activities declared for local government controlled areas or roads.
- (3) In this section—
- reasonable steps* may include the display of a notice at a prominent place within each local government controlled area for which a declaration under subsection (1)(b) has been made, stating—
- (a) if the declaration relates to the whole area—the restricted activities for the area; and
 - (b) if the declaration relates to a part of the area—the restricted activities and a description of the part of the area to which the declaration applies; and
 - (c) in general terms, the provisions of subsection (4).
- (4) A person must not engage in a prohibited activity or a restricted activity.
- Maximum penalty—20 penalty units

6 Motor vehicle access to local government controlled areas

- (1) A motor vehicle access area is an area within a local government controlled area that is—

³ *Local Law No. 1 (Administration) 2015* deals with activities on local government controlled areas and roads that require the local government's approval, such as commercial use of local government controlled areas and roads, alterations or improvements to local government controlled areas, and other miscellaneous regulated activities.

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- (a) a car park or roadway for which there is no sign or traffic control device indicating that vehicles owned by members of the public are excluded; or
 - (b) declared under a subordinate local law for this paragraph as a motor vehicle access area.
- (2) For the purposes of *Local Law No.1 (Administration) 2015*, section 5(b), it is a prescribed activity⁴ to bring a motor vehicle onto or drive a motor vehicle on any part of a local government controlled area that is not a motor vehicle access area.
- (3) The local government may, by subordinate local law, declare a specific type of motor vehicle (a *prohibited vehicle*) as prohibited in a specified motor vehicle access area.
- (4) For the purposes of *Local Law No.1 (Administration) 2015*, section 5(b), it is a prescribed activity⁵ to bring a prohibited vehicle onto or drive a prohibited vehicle on the specified motor vehicle access area.
- (5) However, subsections (2) and (4) do not apply for an emergency vehicle.
- (6) The local government must take reasonable steps to provide notice to members of the public regarding—
- (a) declarations of motor vehicle access areas under subsection (1)(b); and
 - (b) declarations of prohibited vehicles under subsection (3).
- (7) In this section—
- emergency vehicle* includes the following—
- (a) an ambulance;
 - (b) a fire-appliance;
 - (c) a police vehicle;
 - (d) another vehicle, including a tow truck, helicopter or mobile crane, if used in circumstances of an emergency.
- reasonable steps* include, as a minimum, the display of a notice at a prominent place within each declared motor vehicle access area stating—
- (a) a description of the declared motor vehicle access area; and
 - (b) a description of prohibited vehicles for the area; and
 - (c) in general terms, the provisions of subsections (2) and (4).

7 Opening hours of local government controlled areas

- (1) The local government may, by subordinate local law, declare the times when a

⁴ *Local Law No.1 (Administration) 2015*, section 6, creates an offence for a person to undertake a prescribed activity without a current approval granted by the local government. Section 7 requires that the approval be obtained under part 2 of that local law.

⁵ See footnote 3.

local government controlled area is open to the public (the *opening hours*).

- (2) A person must not enter or remain in a local government controlled area outside the opening hours unless the person is authorised to do so by the chief executive officer⁶.

Maximum penalty for subsection (2)—20 penalty units.

- (3) If the local government declares the opening hours for a local government controlled area under subsection (1), it must place a notice showing the opening hours at each public entrance to the area.

8 Power of closure of local government controlled areas

- (1) The local government may, by resolution, temporarily close a local government controlled area to public access—
- (a) to carry out construction, maintenance, repair or restoration work; or
 - (b) to protect the health and safety of a person or the security of a person's property; or
 - (c) because of a fire or other natural disaster; or
 - (d) to conserve or protect the cultural or natural resources of the area or native wildlife.
- (2) A resolution under subsection (1)—
- (a) must state a period, not greater than 6 months, during which the area will be closed; and
 - (b) must be revoked by the local government as soon as practicable after the local government becomes satisfied that the reason for making the resolution no longer exists.
- (3) The local government may, by subordinate local law, permanently close a local government controlled area to public access for any of the following reasons—
- (a) the conservation of the cultural or natural resources of the area, including, for example—
 - (i) to protect significant cultural or natural resources; or
 - (ii) to enable the restoration or rehabilitation of the area; or
 - (iii) to protect a breeding area for native wildlife; or
 - (iv) to manage a significant Aboriginal area in the area in a way that is consistent with Aboriginal tradition; or
 - (v) to manage a significant Torres Strait Islander area in the area in a way that is consistent with Island custom;
 - (b) protection of the health and safety of members of the public;
 - (c) protection of a facility or service in the area, including, for example, infrastructure, water supply facilities or power generating equipment;

⁶ See definition of *chief executive officer* in the Act, schedule 4.

- (d) protection of the amenity of an area adjacent to the area;
 - (e) the orderly or proper management of the area.
- (4) If the local government closes a local government controlled area under subsections (1) or (3), it must place at each public entrance to the area a notice of the closure, including a statement of the duration of the closure.

Example—

If the local government closes an area that is part of a wider local government controlled area, it must place notices at each public entrance to the closed area.

- (5) A person must not enter or remain in a local government controlled area while it is closed to public access under this section, unless the person is authorised to do so by the chief executive officer.

Maximum penalty for subsection (5)—20 penalty units.

- (6) In this section—

significant Aboriginal area see the *Aboriginal Cultural Heritage Act 2003*, section 9.

significant Torres Strait Islander area see the *Torres Strait Islander Cultural Heritage Act 2003*, section 9.

Part 3 Matters affecting roads

9 Power to require owner of land adjoining road to fence land

- (1) This section applies if, in the local government's opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of—
- (a) animals escaping from the land onto the road; or
 - (b) interference with the safe movement of traffic or the safe use of the road.
- (2) The local government may, by giving a compliance notice⁷ to the owner—
- (a) if the land is not currently fenced—require the owner to fence the land; or
 - (b) if a current fence on the land is in disrepair—require the owner to repair or replace the fence.
- (3) The local government may, by subordinate local law, set out the minimum standards with which the fence must comply.
- (4) In this section—
- animal* does not include a native animal, feral animal or pest animal.
feral animal see *Animal Care and Protection Act 2001*, section 42.
pest animal see *Animal Care and Protection Act 2001*, section 42.

⁷ See *Local Law No.1 (Administration) 2015*, section 28, regarding the requirements for compliance notices.

10 Numbering of premises and allotments adjoining a road⁸

- (1) An owner of land must not adopt a number for a building or allotment that is inconsistent with a numbering system adopted by the local government under this section.

Maximum penalty for subsection (1)—10 penalty units.

- (2) An owner of land (other than vacant land) must display the number allocated so as to be easily identified from the adjoining road.

Maximum penalty for subsection (2)—10 penalty units.

11 Compliance notice about a road or footpath crossing

The local government may give a compliance notice to—

- (a) the owner of land adjoining or adjacent to a road to perform work on the land or the road if the work to be carried out is required as a direct result of the actions of the owner or occupier of the land or will confer a direct benefit on the owner or occupier and, in the opinion of an authorised person, the work should be performed to—
- (i) protect public health, safety or amenity; or
 - (ii) prevent environmental harm or environmental nuisance; or
 - (iii) prevent interference with the safe movement of traffic or the safe use of a road; or
- (b) the owner of land adjoining or adjacent to a road to—
- (i) construct a vehicle crossing to provide vehicular access between the road and the land to a standard specified by the local government in the compliance notice; or
 - (ii) maintain or repair a vehicle crossing which provides vehicular access between the road and the land to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing—
 - (A) is not effective for its intended purpose; or
 - (B) is causing a nuisance or poses a risk of a nuisance; or
 - (C) constitutes an actual or potential safety hazard; or
 - (iii) alter a vehicle crossing, or construct a new or modified vehicle crossing to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing is no longer adequate having regard to—
 - (A) the volume or nature of traffic using the vehicle crossing; or
 - (B) the manner in which the vehicle crossing is used by traffic; or

⁸ See the Act, section 60, regarding control of roads by a local government.

- (C) changes in the use of the land to which the vehicle crossing provides access; or
- (D) changes in the usual or expected standard of vehicle crossing provision in the relevant locality.

Part 4 Enforcement

12 Compliance directions

- (1) If a person engages in conduct that is, or is preparatory to, a contravention of this local law, an authorised person may orally direct the person to do 1 or more of the following—
 - (a) stop the conduct;
 - (b) take specified action to remedy the contravention.
- (2) A person must comply with a direction given under subsection (1), unless the person has a reasonable excuse.
Maximum penalty—50 penalty units.

Part 5 Miscellaneous

13 Subordinate local laws

The local government may make subordinate local laws about—

- (a) the declaration of prohibited activities or restricted activities;⁹ or
- (b) the declaration of motor vehicle access areas;¹⁰ or
- (c) the declaration of prohibited vehicles;¹¹ or
- (d) the opening hours for a local government controlled area;¹² or
- (e) closing a local government controlled area to public access;¹³ or
- (f) minimum standards for fences on land adjoining a road.¹⁴

⁹ See section 5(1).

¹⁰ See section 6(1).

¹¹ See section 6(3).

¹² See section 7(1).

¹³ See section 8(3).

¹⁴ See section 9(3).

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Schedule Dictionary

Section 3

environmental nuisance see *Environmental Protection Act 1994*, schedule 4.

land see *Local Government Act 2009*, schedule 4.

local government controlled area see *Local Law No.1 (Administration) 2015*, schedule 1.

occupier see *Local Government Act 2009*, schedule 4.

owner see *Local Government Act 2009*, schedule 4.

road see *Local Law No.1 (Administration) 2015*, schedule 1.

vehicle crossing means facilities provided for the purpose of vehicles making entry or exit at, or substantially at, right angles between a road and land adjoining or adjacent to the road and may include an invert, pipe or driveway at, or adjacent to, the boundary of the land.



**Amending Local Law No. 3
(Local Law No. 4 (Local Government
Controlled Areas, Facilities and Roads)
2015) 2019**

It is hereby certified that this a true and correct copy of *Amending
Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*
made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland,
by resolution dated 3 April 2019

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

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Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

Part 1 Preliminary

1 Short title

This amending local law may be cited as *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

2 Object

The object of this amending local law is to amend *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* to allow an authorised person to give a compliance direction to a person who contravenes, or prepares to contravene, *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

3 Commencement

This amending local law commences on the date of publication of the notice of the making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* in the gazette.

Part 2 Amendment of Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

4 Local Law amended

This part amends the *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

5 Amendment of pt 2 (Use of local government controlled areas, facilities and roads)

- (1) Section 6 (7) (b), 'fire engine' —

omit, insert—

fire appliance

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Amending Local Law No. 3
(Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

6 Renumbering of pt 4 (Miscellaneous) and s 12 (Subordinate local laws)

- (1) Part 4—
renumber as part 5.
- (2) Section 12—
renumber as section 13.

7 Insertion of new pt 4 (Enforcement)

- (1) After section 11—
insert—

Part 4 Enforcement

12 Compliance directions

- (1) If a person engages in conduct that is, or is preparatory to, a contravention of this local law, an authorised person may orally direct the person to do 1 or more of the following—
- (a) stop the conduct;
- (b) take specified action to remedy the contravention.
- (2) A person must comply with a direction given under subsection (1), unless the person has reasonable excuse.

Maximum penalty—50 units.



Redland City Council

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

It is hereby certified that this a true and correct copy of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 3 April 2019.

A. Chesterman
Chief Executive Officer

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

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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) 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

- (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

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- (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 Local government controlled area or road	Column 2 Prohibited activity
1	All local government controlled areas within the local government area	<p>(a) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(b) Carrying or displaying a placard or other sign bearing an offensive or threatening message or image;</p> <p>(c) Injuring, misusing, defacing, marking or otherwise damaging a building or structure;</p> <p>(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;</p> <p>(e) Camping, sleeping, occupying or remaining overnight unless the local government controlled area is a park or reserve;</p> <p>(f) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</p> <p>(g) Parking or leave standing, an unregistered vehicle.</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
2	All roads within the local government area	<ul style="list-style-type: none"> (a) Painting an object other than a vehicle in, on or over a road; (b) Repairing, altering or carrying out maintenance on an object other than a vehicle in, on or over a road; (c) Intentionally or negligently damaging a road or a structure associated with a road; (d) Creating a nuisance on a road; (e) Camping, sleeping, occupying or remaining overnight in a vehicle stopped on a footpath, shared path, water-channel or gutter; (f) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire; (g) Parking or leave standing, an unregistered vehicle.
3	All off-street regulated parking areas within the local government area as declared in section 6 of <i>Local Law No. 5 (Parking) 2015</i>	Parking or leave standing, an unregistered vehicle.
4	All local government cemeteries within the local government area	<ul style="list-style-type: none"> (a) Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery; (b) Distributing or putting up any handbill, card, circular or advertisement; (c) Interfering with any tree, shrub or plant; (d) Discharging a firearm, except at a military or police funeral or other recognised type of funeral service ordinarily involving such discharge; (e) Damaging or disturbing or interfering with any memorial,

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<p>inscription plaque, epitaph or inscription, or any flowers or tokens placed on or adjacent to a grave or niche;</p> <p>(f) 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;</p> <p>(g) Engaging in conduct which is dangerous or creates a risk to the safety of members of the public;</p> <p>(h) Deliberately or recklessly damaging or destroying any building, fence, structure, improvement or other property;</p> <p>(i) Bringing an animal into or allowing an animal to be within a local government cemetery other than—</p> <p style="padding-left: 20px;">(i) for the purposes of a funeral or commemorative service; or</p> <p style="padding-left: 20px;">(ii) a dog which is under effective control as defined in section 11 of <i>Local Law No. 2 (Animal Management) 2015</i>;</p> <p>(j) Entering or being within a local government cemetery except for the purpose of—</p> <p style="padding-left: 20px;">(i) visiting a grave, memorial or interment site; or</p> <p style="padding-left: 20px;">(ii) attending a funeral; or</p> <p style="padding-left: 20px;">(iii) maintaining or repairing a grave, memorial or interment site in accordance with a written authorisation of the chief executive officer;</p> <p>(k) Taking part in any meeting other than a meeting of a religious or commemorative nature.</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
5	All parks and reserves within the local government area.	<ul style="list-style-type: none"> (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 riotous 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, a nuisance 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;

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<ul style="list-style-type: none"> (n) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a facility in a park or reserve; (o) Permitting or allowing a water tap in a park or reserve to run water to waste; (p) Removing any timber or wood provided by the local government for use as firewood; (q) Propagating or cultivating any plant, vegetation or vegetative matter; (r) Park or leave standing, a motor vehicle overnight or at any time outside of the opening hours specified in schedule 4 (Opening hours for local government controlled areas) for parks and reserves; (s) Park or leave standing, a motor vehicle if the person is not a bona fide user of the park or reserve; (t) Use a road within a park or reserve for the sole purpose of a thoroughfare, rather than as a means of access to or from the park or reserve as a bona fide user.
<p align="center">6</p>	<p>All local government accommodation parks within the local government area</p>	<ul style="list-style-type: none"> (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 riotous disorderly, indecent, offensive, threatening or insulting manner; (e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger,

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
		<p>obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(f) Interfering with a plant or any turf, sand, clay, soil or other material;</p> <p>(g) Interfering with any facility or equipment located at the local government caravan park.</p>
7	The boat ramps and landings within the local government area identified in schedule 6	<p>(a) Carrying out maintenance or repairs to a ship on a boat ramp;</p> <p>(b) Carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse;</p> <p>(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;</p> <p>(d) Wilfully damaging any lighting upon a boat ramp or a landing;</p> <p>(e) Riding an animal on a boat ramp or a landing;</p> <p>(f) Carrying a loaded or cocked spear gun on a boat ramp or a landing;</p> <p>(g) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;</p> <p>(h) Diving off a boat ramp or a landing;</p> <p>(i) A person causing themselves or any other person or object to fall or be projected into waters surrounding a boat ramp or a landing;</p> <p>(j) Obstructing another person's use of a boat ramp or landing;</p> <p>(k) Using a boat ramp or landing in a</p>

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<p>manner which is inconsistent with —</p> <ul style="list-style-type: none"> (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; <ul style="list-style-type: none"> (l) Cleaning or gutting fish or other marine life; (m) Casting or discharging, or causing to be cast or discharged, any material, object or substance from a boat ramp or landing; (n) Occupying a ship or mooring a ship at a boat ramp or landing for the purpose of habitation; (o) While involved in the use of a ship at a boat ramp or landing, casting or discharging, or causing to be cast or discharged, from the ship, any material, object or substance into the waters surrounding the ship; (p) Mooring a ship at a boat ramp or landing except to a bollard or other fastening appliance that is provided for that purpose at the boat ramp or landing; (q) Mooring a ship to any steps or landing place for passengers or cargo at a boat ramp or landing; (r) Permitting a ship to lie alongside a boat ramp or landing, unless it is properly moored; (s) Placing or mooring a ship in the approach fairway to a boat ramp or landing; (t) If a ship is moored at a boat ramp

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	<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Local government controlled area or road</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Prohibited activity</p>
		<p>or landing—allowing the ship to lie alongside, or remain attached to, the boat ramp or landing, except for the purpose of embarking or disembarking passengers or crew, or loading or unloading cargo, stores or goods from the boat ramp or landing;</p> <p>(u) Operating a ship in a manner that obstructs or interferes with the use of a boat ramp or landing by another ship;</p> <p>(v) If the boat ramp or landing is used by a ship (a <i>ferry service ship</i>) for the purposes of a ferry service—mooring, or allowing a ship to lie alongside the boat ramp or landing in a manner that obstructs or interferes with the use of the boat ramp or landing by a ferry service ship used in the operation of the ferry service.</p>
<p>8</p>	<p>The canoe/kayak pontoons within the local government area identified in schedule 6</p>	<p>(a) Breaking, destroying, damaging, defacing, disfiguring, removing or writing on a canoe/kayak pontoon or a notice erected or displayed by the local government at a canoe/kayak pontoon;</p> <p>(b) Damaging any lighting on a canoe/kayak pontoon;</p> <p>(c) Riding an animal on a canoe/kayak pontoon;</p> <p>(d) Carrying a loaded or cocked spear gun on a canoe/kayak pontoon;</p> <p>(e) Lighting a fire on a canoe/kayak pontoon, whether in a container or otherwise;</p> <p>(f) Diving or jumping off a canoe/kayak pontoon or infrastructure attached to a canoe/kayak pontoon;</p> <p>(g) A person causing themselves or any other person or object to fall or be projected into waters</p>

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<p>surrounding a canoe/kayak pontoon;</p> <p>(h) Obstructing another person’s use of a canoe/kayak pontoon;</p> <p>(i) Using a canoe/kayak pontoon in a manner that is inconsistent with —</p> <p style="padding-left: 20px;">(i) the safe, secure and efficient operation of the canoe/kayak pontoon; or</p> <p style="padding-left: 20px;">(ii) the protection of the environment at the canoe/kayak pontoon; or</p> <p style="padding-left: 20px;">(iii) the maintenance or improvement of the convenience of users of the canoe/kayak pontoon;</p> <p>(j) Cleaning or gutting fish or other marine life;</p> <p>(k) Casting or discharging, or causing to be cast or discharged, any material, object or substance from a canoe/kayak pontoon;</p> <p>(l) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a ship, motorised aquatic equipment or non-motorised aquatic equipment, other than a canoe or kayak, in the water around, at or from a canoe/kayak pontoon;</p> <p>(m) Operating a canoe or kayak in a manner that obstructs or interferes with the use of a canoe/kayak pontoon by another user of the canoe/kayak pontoon;</p> <p>(n) Driving, standing, parking or bringing a vehicle onto a canoe/kayak pontoon;</p> <p>(o) Fishing, using a cast net or other bait catching devices or using a crab pot or other device for catching a crustacean on a</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
		canoe/kayak pontoon; (p) Attaching or affixing, whether temporary or permanent, a rope swing, ladder or the like to a canoe/kayak pontoon.
9	All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6	(a) Bringing any glass or any item made from glass onto the pool deck surrounding the swimming pool or into the swimming pool; (b) Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool; (c) Causing wilful damage to the swimming pool or any facilities at the swimming pool; (d) Behaving in a way that endangers the safety of, or causes a nuisance to, other users of the swimming pool; (e) 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; (f) Entering the land on which the swimming pool is located whilst intoxicated or under the influence of a stupefying drug; (g) Entering the swimming pool whilst carrying or having possession of any alcohol or a stupefying drug; (h) Disposing of waste other than in a waste container provided by the local government for the purpose of the collection of waste; (i) Entering the water in the swimming pool if the person has an infectious or contagious

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<p>disease or illness or a skin complaint;</p> <p>(j) Interfering with the property of another person on the land on which the swimming pool is located other than with the consent of the other person;</p> <p>(k) Entering the land on which the swimming pool is located unless the person has paid the entrance fee prescribed by the local government from time to time for entry to the swimming pool;</p> <p>(l) 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;</p> <p>(m) Behaving in a threatening, abusive or insulting manner to another person at the swimming pool;</p> <p>(n) Leaving a child or children under the age of 10 at the land on which the swimming pool is located otherwise than under the direct supervision of a person who is a parent or guardian of the child or children and at least 16.</p>
<p>10</p>	<p>All local government offices, libraries and depots within the local government area</p>	<p>(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 controlled area;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Behaving in a riotous, disorderly, indecent, offensive, threatening or</p>

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	<p align="center">Column 1</p> <p align="center">Local government controlled area or road</p>	<p align="center">Column 2</p> <p align="center">Prohibited activity</p>
		<p>insulting manner;</p> <p>(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;</p> <p>(f) Interfering with any facility or equipment located at the local government controlled area;</p> <p>(g) Depositing, storing or abandoning any goods;</p> <p>(h) Any activity which fouls, litters, pollutes or interferes with the local government controlled area or a facility in the local government controlled area;</p> <p>(i) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government controlled area or a notice erected or displayed by the local government at the local government controlled area;</p> <p>(j) Using any part of the local government controlled area in a manner which is inconsistent with—</p> <p>(i) the safe, secure and efficient operation of the local government controlled area; or</p> <p>(ii) the maintenance or improvement of the convenience of users of the local government controlled area.</p>
<p>11</p>	<p>Footpaths on roads as follows—</p> <p>(a) the footpath on either side of each road within the Cleveland Central Business District bounded by, and including, each of Wynyard, Shore, Waterloo</p>	<p>Riding a bicycle, wheeled recreational device or wheeled toy, as defined in the <i>Transport Operations (Road Use Management) Act 1995</i>.</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
	<p>and Queen Streets;</p> <p>(b) the footpath commonly known as Capalaba Place between Noeleen Street and Capalaba Central Shopping Centre;</p> <p>(c) the footpath on either side of Main Road, Wellington Point, from the intersection with Apsley Street to the intersection with Douro Road.</p>	
12	The public transport waiting points at each boat ramp and landing within the local government area identified in schedule 6	<p>(a) Smoking;</p> <p>(b) Fishing;</p> <p>(c) Using a cast net or other bait collecting device;</p> <p>(d) Using a crab pot or other device for catching a crustacean.</p>
13	The Swan Bay region of Main Beach, North Stradbroke Island	<p>(a) Camping;</p> <p>(b) Bringing onto, or driving a vehicle, including a motor vehicle, on the local government controlled area.</p>
14	Brown Lake, North Stradbroke Island	<p>(a) Using a motorised ship on the local government controlled area;</p> <p>(b) Bringing onto, or driving a vehicle, including a motor vehicle, on the foreshore of the local government controlled area;</p> <p>(c) Washing or cleansing a vehicle on the foreshore, or in the near vicinity of, the local government controlled area.</p>
15	Weinam Creek Commuter Terminal	<p>(a) Obstructing or impeding another person's use of the Terminal;</p> <p>(b) Mooring or fastening a ship to any part of the Terminal, except to a fastening that is provided for that purpose;</p> <p>(c) Carrying out repairs on a jetty at the Terminal whilst moored at the jetty;</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
		(d) Anchoring or mooring a ship in the approach fairway to a jetty at the Terminal; (e) Swimming or diving into, or allowing any animal under the person's control to swim in, or dive into— (i) any waters at the Terminal; or (ii) any navigational channel at the Terminal; or (iii) any waters within 100m of the edge of a navigational channel at the Terminal.
16	Each area of bathing reserve and foreshore identified in schedule 6	Bringing or driving a motor vehicle on the area of bathing reserve or foreshore.

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 within the local government area	(a) Busking	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(b) Depositing, storing, dumping or leaving unattended a shopping trolley.	(b) Permitted only in the area of a shopping centre car park that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles.
2	All roads within the local government area.	(a) The painting, repairing, alteration or maintenance of vehicles on a road* (see s.66(3)(b) of the <i>Transport Operations (Road Use Management) Act 1995</i> , 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) Temporarily closing a road to all traffic, or traffic of a particular class.	(b) Permitted only with the written authorisation of the chief executive officer of the local government.
		(c) Depositing, storing, dumping or leaving unattended a shopping trolley.	(c) Permitted only in the area of a shopping centre car park that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles.

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
3	All local government cemeteries within the local government area	(a) Carrying out a burial outside the hours during which burials may be performed as fixed by the local government.	(a) Permitted only— (i) between the hours of 9am and 4pm; or (ii) with the written authorisation of the chief executive officer of the local government.
(b) 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.	

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(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 person; and (ii) with the written approval of the sexton; and (iii) subject to conditions about how the work is to be carried out as are included in the written authorisation of the sexton.
4	All parks and reserves within the local government area	(a) Lighting or maintaining a fire.	(a) Permitted only if the fire is— (i) lit and maintained in a fireplace established by the local government for the purpose; or (ii) lit and maintained in accordance with the written authorisation of the chief executive officer of the local government.
		(b) Sleeping, occupying or remaining overnight in a park or reserve.	(b) Permitted only with the written authorisation of the chief executive officer of the local government.

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(c) Erecting or installing a building, structure or facility in, on, across or over a park or reserve.	(c) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(d) Conducting or taking part in an organised sporting activity of regional, State or national significance.	(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(e) Operating a model vehicle or aircraft propelled by a motor.	(e) Permitted only with the written authorisation of the chief executive officer of the local government.
		(f) Using, storing or possessing fireworks.	(f) Permitted only with the written authorisation of the chief executive officer of the local government.
		(g) Displaying a sign or advertisement.	(g) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(h) Playing golf.	(h) Permitted only with the written authorisation of the chief executive officer of the local government.
		(i) Undertaking the sport of archery.	(i) Permitted only with the written authorisation of the chief executive officer of the local government.
		(j) Using a megaphone, loud speaker, or other similar amplification device.	(j) Permitted only— (i) with the written authorisation of the chief executive officer of the local

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
			<p>government; or</p> <p>(ii) if authorised under the conditions of an approval for a prescribed activity.</p>
		<p>(k) Public entertainment.</p>	<p>(k) Permitted only—</p> <p>(i) with the written authorisation of the chief executive officer of the local government; or</p> <p>(ii) if authorised under the conditions of an approval for a prescribed activity.</p>

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		<p>(1) Research.</p> <p><i>Examples of activities which are research for this section—</i></p> <ul style="list-style-type: none"> • <i>The collection of entire fauna or flora specimens.</i> • <i>The collection of portions of fauna or flora specimens (such as cuttings or DNA samples).</i> • <i>The installation of monitoring equipment.</i> 	<p>(1) Permitted only with the written authorisation of the chief executive officer of the local government.</p>
5	All local government accommodation parks within the local government area.	<p>(a) Lighting or maintaining a fire in the open.</p>	<p>(a) Permitted only —</p> <ul style="list-style-type: none"> (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.
		<p>(b) Camping, sleeping, occupying or remaining overnight in a caravan or complementary accommodation at an accommodation site at a local government accommodation park.</p>	<p>(b) Permitted only if—</p> <ul style="list-style-type: none"> (i) the person undertaking the activity maintains the accommodation site and any caravan or complementary accommodation on the accommodation site in a clean and sanitary condition; and (ii) the person deposits all waste in a waste container, or a waste disposal system,

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
			<p>provided by the local government for the purpose; and</p> <p>(iii) the person does not use facilities at the local government accommodation park in a way that makes them unclean or unsanitary; and</p> <p>(iv) the person who occupies the accommodation 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 accommodation park; and</p> <p>(v) the person pays all fees for use of the accommodation site in advance to the local government; and</p> <p>(vi) if required by the local government or an Act—the person enters into a written agreement with the local government about undertaking the activity at the local government accommodation park; and</p> <p>(vii) at the end of the period of occupation of the accommodation site</p>

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
			<p>— the person vacates and leaves the accommodation site in a clean and tidy condition; and</p> <p>(viii) the person ensures that the caravan or complementary accommodation is not let or hired to another person; and</p> <p>(ix) the person ensures that the accommodation site is kept and maintained in good repair and clean, tidy and sanitary condition; and</p> <p>(x) the person ensures that the accommodation site is not left unoccupied for more than 2 days; and</p> <p>(xi) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government accommodation park.</p>
		<p>(c) Use or operation of a generator in a part of a local government accommodation park that is made available for camping overnight or for a period longer than overnight.</p>	<p>(c) Permitted only—</p> <p>(i) with the written authorisation of an authorised person ; and</p> <p>(ii) in any event (even where written authorisation is granted) not between</p>

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			the hours of 9:30pm and 7:00am.
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.	(a) Permitted only to launch or retrieve a ship from the boat ramp.
		(b) Launching or retrieving a ship at a boat ramp.	(b) Permitted only if the person launching or 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

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			greater mass—the greater mass.
		(f) Taking or driving a vehicle onto a landing.	(f) Permitted only with the authorisation of an authorised person.
		(g) Taking or driving a vehicle onto a boat ramp or landing.	(g) Permitted only if the vehicle moves on wheels fitted with pneumatic or rubber tyres.
		(h) Fishing on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(h) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(i) Using a cast net or other bait collecting device on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(i) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(j) Using a crab pot or other device for catching a crustacean on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(j) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(k) Using a boat ramp or landing for the purposes of a ferry service, including operating a ferry service from a boat ramp or landing.	(k) Permitted only if authorised under the conditions of an approval for a prescribed activity.

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(l) Using a boat ramp or landing for the purposes of a ship charter service, including operating a ship charter service from a boat ramp or landing.	(l) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(m) Using a boat ramp or landing for a ship hire service, including operating a ship hire service from a boat ramp or landing.	(m) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(n) Packing or unpacking any goods into or from any case or container on a boat ramp or landing.	(n) Permitted only with the written authorisation of an authorised person.
		(o) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of bills or notices on a boat ramp or landing.	(o) Permitted with the written authorisation of the chief executive officer of the local government.
		(p) Refuelling a ship on a boat ramp or landing.	(p) Permitted only with the written authorisation of an authorised person.
		(q) Exhibiting, affixing or maintaining a bill or notice on a boat ramp or landing.	(q) Permitted with the written authorisation of the chief executive officer of the local government.
		(r) Operating a system of public address or sound amplification on— (i) a boat ramp or landing; or (ii) a ship moored at a boat ramp or	(r) Permitted only with the written authorisation of an authorised person.

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
		<p>landing.</p>	
		<p>(s) Playing music or a musical instrument at a volume, or in a manner, which interferes with another person's reasonable enjoyment or use of a boat ramp or landing on—</p> <p>(i) the boat ramp or landing; or</p> <p>(ii) any ship moored at the boat ramp or landing.</p>	<p>(s) Permitted only with the written authorisation of an authorised person.</p>
		<p>(t) Carrying out maintenance or repairs to a ship moored at a boat ramp or landing, or on a boat ramp or landing, except in an emergency situation—</p> <p>(i) to permit the ship to leave the boat ramp or landing; or</p> <p>(ii) where to move the ship from its position would involve danger to the ship or a person.</p>	<p>(t) Permitted with the written authorisation of the chief executive officer of the local government.</p>
		<p>(u) Mooring a ship at a boat ramp or landing for longer than 20 minutes.</p>	<p>(u) Permitted only—</p> <p>(i) if authorised under the conditions of an approval for a prescribed activity; or</p> <p>(ii) with the written authorisation of an authorised person; or</p>

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

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			(iii) if authorised by a notice displayed by the local government at the boat ramp or landing; or (iv) in an emergency situation as prescribed in item 6(t).
7	The canoe/kayak pontoons within the local government area identified in schedule 6	<p>a) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of bills or notices on a canoe/kayak pontoon.</p> <p>b) Exhibiting, affixing or maintaining a bill or notice on a canoe/kayak pontoon.</p> <p>c) Operating a system of public address or sound amplification on a canoe/kayak pontoon.</p> <p>d) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a canoe or kayak in the water around, at or from a canoe/kayak pontoon.</p>	<p>a) Permitted only with the written authorisation of the chief executive officer of the local government.</p> <p>b) Permitted only with the written authorisation of the chief executive officer of the local government.</p> <p>c) Permitted only with the written authorisation of an authorised person.</p> <p>d) Permitted only if the anchoring, mooring, placing, launching, using, maintaining, repairing or operating of the canoe or kayak is not likely to obstruct another person's use of the canoe/kayak pontoon.</p>

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		e) Mooring a canoe or kayak at a canoe/kayak pontoon for longer than 20 minutes.	e) Permitted only— (i) if authorised under the conditions of an approval for a prescribed activity; or (ii) with the written authorisation of an authorised person; or (iii) if authorised by a notice displayed by the local government at the canoe/kayak pontoon.
8	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	(b) Permitted only with the written authorisation of an authorised person.

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		dangerous or may be used in a dangerous way.	
		(c) Bringing a animal onto the land on which the swimming pool is situated.	(c) Permitted only if— (i) the animal is an assistance dog, a guide dog or a hearing dog; and (ii) the person is the handler of the dog.
9	All local government offices, libraries and depots within the local government area.	(a) Bringing an animal onto, or permitting or allowing an animal to remain on, the local government controlled area.	(a) Permitted only if— (i) the animal is an assistance dog, a guide dog or a hearing dog; and (ii) the person is the handler of the dog.
		(b) Entering or remaining at the local government controlled area or a part of a local government controlled area.	(b) Permitted if— (i) the local government controlled area or relevant part of the local government controlled area is a public place; and (ii) if the local government erects on or near the local government controlled area or the relevant part of the local government controlled area, a notice that is approved by the local government which authorises entry to the local government controlled area or the relevant part of the local government controlled area—the

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*Redland City Council Subordinate Local Law No. 4 (Local Government Controlled Areas,
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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			person complies with the requirements of the notice.
10	Point Halloran Conservation Area Reserve, Orana Street, Victoria Point	Public access	Permitted only on the constructed boardwalk and paths throughout the Conservation Area.
11	Local government bridges and Local government culverts within the local government area.	Fishing on a local government bridge or a local government culvert.	Permitted only if- <ul style="list-style-type: none"> (i) where the activity is on a local government bridge, the activity does not obstruct or interfere with the use of the local government bridge by a vehicle or another person; and (ii) where the activity is on a local government culvert, the activity does not obstruct or interfere with the operation of the local government culvert; and (iii) no sign authorised by the local government is erected on or adjacent to the bridge or culvert indicating that fishing is prohibited.

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 prescribed.	

Schedule 4 Opening hours for local government controlled areas

Section 8

	Column 1 Local government controlled area	Column 2 Opening hours¹
1	All canoe/kayak pontoons, parks and reserves within the local government area.	4.00a.m. to 10.00p.m. daily unless traversing a park or reserve is necessary and for the purpose of accessing or leaving a boat ramp or landing.
2	All boat ramps and landings within the local government area identified in schedule 6.	All times.

¹Public 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

schedules 1, 2 and 4

Boat ramps and landings

Description	Location Description
Jetty, Fixed Platform - Banana St Harbour	Mainland Areas - Redland Bay
Jetty, Fixed Platform - Ron Field	Moreton Bay - Macleay Island
Jetty, Fixed Platform - High St Harbour	Moreton Bay - Russell Island
Jetty, Fixed Platform - Brighton Rd Harbour	Macleay Island - Brighton Road
Jetty, Fixed Platform - Masters Ave Harbour	Victoria Point - Masters Avenue
Jetty, Fixed Platform - Yabby Street	Dunwich - Yabby Street
Jetty, Fixed Platform - Junner St Harbour	Dunwich - Junner Street
Jetty, Fixed Platform - Clayton Rd Harbour	Amity - Claytons Road
Jetty, Fixed Platform - Main Rd Boat Haven	Wellington Point - Main Road Foreshore
Jetty, Pontoon - High St Harbour	Russell Island - High Street
Jetty, Pontoon - Lucas Drive Harbour	Lamb Island - Lucas Drive
Jetty, Pontoon - The Esplanade Harbour	Karragarra Island - The Esplanade
Jetty, Pontoon - Brighton Rd Harbour	Macleay Island - Brighton Road
Jetty, Pontoon - Weinam Creek Marine Facility	Mainland Areas - Redland Bay
Jetty, Pontoon - Raby Bay Canals	Cleveland - Raby Bay Harbour Park
Jetty, Pontoon - Elizabeth St Harbour	Coochiemudlo Island - Elizabeth Street
Jetty, Pontoon - Masters Ave Harbour	Victoria Point - Masters Avenue
Jetty, Pontoon - Yabby Street	Dunwich - Yabby Street
Jetty, Pontoon - Marina - Banana St Harbour	Mainland Areas - Redland Bay
Weinam Creek Pontoon Landing Upgrade	

Description	Location Description
Ramp - Main Road, Wellington Point	Wellington Point - Main Road
Ramp - Vnr Cleveland	Cleveland - William Street
Ramp, Barge - Brighton Rd Harbour	Macleay Island - Brighton Road
Ramp, Barge - Junner St Harbour	Dunwich - Junner Street
Ramp, Barge - Masters Ave Harbour	Victoria Point - Masters Avenue
Ramp, Barge - Weinam Street	Redland Bay - Weinam Street
Ramp, Boat - Weinam Street	Redland Bay - Weinam Street
Ramp, Boat - Banana Street	Redland Bay - Weinam Creek Marine Commuter Facility
Ramp, Boat - Boulevard Esplanade	Redland Bay - The Boulevard (Moores Road)
Ramp, Boat - Brighton Rd Harbour	Moreton Bay - Macleay Island
Ramp, Boat - Clayton Rd Harbour	Amity - Claytons Road
Ramp, Boat - Colburn Avenue	Victoria Point - Colburn Avenue
Ramp, Boat - Dalpura Street Road Reserve	Macleay Island - Dalpura Street Road Reserve
Ramp, Boat - Emmett Drive	Cleveland Emmett Drive - Toondah Harbour Carpark
Ramp, Boat - Helen Street	Thorneside - Helen Street
Ramp, Boat - Main Road	Mainland Areas - Wellington Point
Ramp, Boat - Main Road - North Of Jetty	Wellington Point - Main Road Foreshore
Ramp, Boat - Main Road 4 Lane Ramp	Wellington Point - Main Road Foreshore
Ramp, Boat - Toondah Harbour	Cleveland Emmett Drive - Toondah Harbour Carpark
Ramp, Boat - Wahine Drive	Moreton Bay - Russell Island
Ramp, Boat - William Street North	Cleveland - William Street
Ramp, Boat - William Street South	Cleveland - William Street

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Ramp, Boat – Masters Ave Harbour	Victoria Point – Masters Avenue
Ramp, Boat - Yabby Street	Dunwich - Yabby Street
Ramp, Combined - Elizabeth St Harbour	Coochiemudlo Island - Elizabeth Street
Ramp, Combined - High St Harbour	Russell Island - High Street
Ramp, Combined - Lucas Drive Harbour	Lamb Island - Lucas Drive
Ramp, Combined - The Esplanade Harbour	Karragarra Island - The Esplanade
Ramp, Boat - Jock Kennedy Park	Russell Island – Jock Kennedy Park
Ramp, Recreational - Ferry Road	Thorneside - Ferry Road
Floating Walkway – Colburn Ave	Victoria Point – Colburn Avenue
Floating Walkway – William St	Cleveland – William Street

Canoe/kayak pontoons

Description	Location Description
Pontoon – canoe/kayak	Mainland - Ormiston

Local government swimming pools

1. Cleveland Aquatic Centre
2. Russel Island Aquatic Centre

Bathing reserves

Description	Location Description
Main Beach	Coochiemudlo Island
Thompsons Beach	Victoria Point
Cylinder Beach	Point Lookout, North Stradbroke Island
Main Beach	Point Lookout, North Stradbroke island
Amity	Amity, North Stradbroke Island
Wellington Point Beach	Wellington Point Reserve

Foreshore Swimming Enclosures

Description	Location Description
Foreshore Swimming Enclosure	Amity Point - Cabarita Park
Foreshore Swimming Enclosure	Dunwich - Ron Stark Oval
Foreshore Swimming Enclosure	Karragarra Island - Karragarra Island Foreshore (North)
Foreshore Swimming Enclosure	Lamb Island - Pioneer Park
Foreshore Swimming Enclosure	Macleay Island - Pat's Park
Foreshore Swimming Enclosure	Moreton Bay - Russell Island
Foreshore Swimming Enclosure	Redland Bay - Rusters Reserve

Schedule 7 Dictionary

Section 4

accommodation, at a local government accommodation park, means—

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

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

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

animal has the meaning given in *Local Law No. 2 (Animal Management) 2015*.

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) 2015*.

barge loading ramp means a ramp or other device or structure which is—

- (a) owned, held in trust or otherwise controlled by the local government; and
- (b) used or capable of use, or designed or intended for use, for the purpose of—
 - (i) loading or unloading goods; or
 - (ii) loading or unloading vehicles between a ship and the barge loading ramp; and
- (c) includes part of a barge loading ramp.

bathing reserve has the meaning given in the *Local Government Regulation 2012*.

boat ramp —

- (a) means a ramp or other device or structure which is—
 - (i) owned, held in trust or otherwise controlled by the local government; and
 - (ii) used or capable of use, or designed or intended for use, for the purpose of launching and retrieving trailerable ships; and
 - (iii) includes a part of a boat ramp; and
- (b) includes a barge loading ramp.

bona fide user, for a park or reserve, means a person who is genuinely using or in the process of using a park or reserve for a lawful purpose relevant to the community purpose of the park or reserve which, for the purpose of this definition, does not include using a park or reserve for the sole purpose of parking or leaving standing a motor vehicle.

Examples of a bona fide user – A person who uses the park for a picnic or barbeque or for swimming in the foreshore.

Examples of someone who is not a bona fide user – A person who parks their vehicle in a park or reserve while they attend to other business or personal affairs outside of the park or reserve.

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.

canoe/kayak pontoon means a canoe/kayak pontoon identified in schedule 6.

caravan has the meaning given in *Local Law No. 1 (Administration) 2015*.

collection day, for a waste container, means, if the local government has arranged for the collection of waste from a waste container at premises—each day on which the local government has arranged for the collection of waste from the waste container at the premises.

complementary accommodation has the meaning given in *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

culvert means a structure used to enclose a flowing body of water under a road, with such structure having clear openings at each end.

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.

ferry has the meaning given in the *Transport Operations (Passenger Transport) Act 1994*.

ferry service has the meaning given in the *Transport Operations (Passenger Transport) Act 1994*.

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

foreshore has the meaning given in the *Local Government Regulation 2012*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever.

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*.

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.

jetty includes—

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- (a) any jetty, landing place, launching ramp, pier, platform, quay, stage, or like premises which is—
 - (i) owned, held in trust or otherwise controlled by the local government; and
 - (ii) used or capable of use, or designed or intended for use, for the purpose of taking goods or persons to, or removal of goods or persons from, a ship; and
- (b) where necessary, all buildings, railways, tramways and other works on the jetty and the appurtenances of the jetty, and the approaches to the jetty; and
- (c) a part of a jetty.

landing includes jetty, pontoon and wharf, but does not include a canoe/kayak pontoon.

local government accommodation park means an accommodation park under the control of the local government, including an accommodation park located on land owned by the local government or on land for which the local government is the trustee.

local government bridge means a bridge which is under the control of the local government.

local government cemetery has the meaning given in *Local Law No. 1 (Administration) 2015*.

local government culvert means a culvert which is under the control of the local government.

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*.

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.

public transport waiting point has the meaning given in section 26ZPA of the *Tobacco and Other Smoking Products Act 1998*.

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.

road has the meaning given in the *Local Law No. 1 (Administration) 2015*.

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*.

shopping trolley means a wheeled basket or frame used for transporting purchases from a supermarket or shop.

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*.

unregistered, for a vehicle that is required to be registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010*, means that a current registration certificate has not been issued by the chief executive for the 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*.

waste container—

- (a) means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government's area; but
- (b) does not include a bin placed by the local government in a public place for the purpose of the collection of waste.

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



**Amending Subordinate Local Law No. 2
(Subordinate Local Law No. 4 (Local
Government Controlled Areas, Facilities
and Roads) 2015) 2019**

It is hereby certified that this a true and correct copy of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 3 April 2019

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

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1
Redland City Council
Amending Subordinate Local Law No. 2
(Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

Redland City Council
Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

Part 1 Preliminary

1 Short title

This amending subordinate local law may be cited as *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

2 Object

The object of this amending subordinate local law is to amend *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* to:

- (b) Provide for additional prohibited activities in all parks and reserves within the local government area;
- (c) Add prohibited and restricted activities at canoe/kayak pontoons within the local government area;
- (d) Clarify the opening hours of canoe/kayak pontoons, parks and reserves within the local government area;
- (e) Remove and add local government controlled areas which are subject to the prohibitions, restrictions and opening hours; and
- (f) Add definitions for 'bona fide use' and 'canoe/kayak pontoon' and amend the definition of 'landing'.

3 Commencement

This amending subordinate local law commences on the date of publication of the notice of the making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* in the gazette.

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 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

**Part 2 Amendment of Subordinate Local Law No. 4
 (Local Government Controlled Areas,
 Facilities and Roads) 2015**

4 Subordinate Local Law amended

This part amends the *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

5 Amendment of sch 1 (Prohibited activities for local government controlled areas or roads)

- (1) Schedule 1, item 5, column 2, subsection (g), after ‘cause fear’—
 insert—
 , a nuisance
- (2) Schedule 1, item 5, column 2, subsection (q), ‘.’—
 omit, insert—
 ;
- (3) Schedule 1, item 5, column 2, after subsection (q)—
 insert—
 - (r) Park or leave standing, a motor vehicle overnight or at any time outside of the opening hours specified in schedule 4 (Opening hours for local government controlled areas) for parks and reserves;
 - (s) Park or leave standing, a motor vehicle if the person is not a bona fide user of the park or reserve;
 - (t) Use a road within a park or reserve for the sole purpose of a thoroughfare, rather than as a means of access to or from the park or reserve as a bona fide user.
- (4) Schedule 1, items 8 to 15—
 renumber as items 9 to 16.
- (5) Schedule 1, after item 7—
 insert—

8	The canoe/kayak pontoons within the local government area identified in schedule 6	(a) Breaking, destroying, damaging, defacing, disfiguring, removing or writing on a canoe/kayak pontoon or a notice erected or
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3
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

		<p>displayed by the local government at a canoe/kayak pontoon;</p> <p>(b) Damaging any lighting on a canoe/kayak pontoon;</p> <p>(c) Riding an animal on a canoe/kayak pontoon;</p> <p>(d) Carrying a loaded or cocked spear gun on a canoe/kayak pontoon;</p> <p>(e) Lighting a fire on a canoe/kayak pontoon, whether in a container or otherwise;</p> <p>(f) Diving or jumping off a canoe/kayak pontoon or infrastructure attached to a canoe/kayak pontoon;</p> <p>(g) A person causing themselves or any other person or object to fall or be projected into waters surrounding a canoe/kayak pontoon;</p> <p>(h) Obstructing another person's use of a canoe/kayak pontoon;</p> <p>(i) Using a canoe/kayak pontoon in a manner that is inconsistent with—</p> <p style="padding-left: 40px;">(i) the safe, secure and efficient operation of the canoe/kayak pontoon; or</p> <p style="padding-left: 40px;">(ii) the protection of the environment at the canoe/kayak pontoon; or</p> <p style="padding-left: 40px;">(iii) the maintenance or improvement of the convenience of users of the canoe/kayak pontoon;</p> <p>(j) Cleaning or gutting fish or other marine life;</p> <p>(k) Casting or discharging, or causing to be cast or discharged, any material, object or substance</p>
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 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

		<p>from a canoe/kayak pontoon;</p> <p>(l) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a ship, motorised aquatic equipment or non-motorised aquatic equipment, other than a canoe or kayak, in the water around, at or from a canoe/kayak pontoon;</p> <p>(m) Operating a canoe or kayak in a manner that obstructs or interferes with the use of a canoe/kayak pontoon by another user of the canoe/kayak pontoon;</p> <p>(n) Driving, standing, parking or bringing a vehicle onto a canoe/kayak pontoon;</p> <p>(o) Fishing, using a cast net or other bait catching devices or using a crab pot or other device for catching a crustacean on a canoe/kayak pontoon;</p> <p>(p) Attaching or affixing, whether temporary or permanent, a rope swing, ladder or the like to a canoe/kayak pontoon.</p>
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6 Amendment of sch 2 (Restricted activities for local government controlled area or roads)

- (1) Schedule 2, items 7 to 10—
renumber as items 8 to 11.
- (2) Schedule 2, after item 6—
insert—

7	The canoe/kayak pontoons within the local government area identified in schedule 6	a) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of	a) Permitted only with the written authorisation of the chief executive officer of the local government.
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 Redland City Council
 Amending Subordinate Local Law No. 2
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		bills or notices on a canoe/kayak pontoon.	
		b) Exhibiting, affixing or maintaining a bill or notice on a canoe/kayak pontoon.	b) Permitted only with the written authorisation of the chief executive officer of the local government.
		c) Operating a system of public address or sound amplification on a canoe/kayak pontoon.	c) Permitted only with the written authorisation of an authorised person.
		d) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a canoe or kayak in the water around, at or from a canoe/kayak pontoon.	d) Permitted only if the anchoring, mooring, placing, launching, using, maintaining, repairing or operating of the canoe or kayak is not likely to obstruct another person's use of the canoe/kayak pontoon.
		e) Mooring a canoe or kayak at a canoe/kayak pontoon for longer than 20 minutes.	e) Permitted only— (i) if authorised under the conditions of an approval for a prescribed activity; or (ii) with the written authorisation of an authorised person; or (iii) if authorised by a notice displayed by the local

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 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

			government at the canoe/kayak pontoon.
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7 Amendment of sch 4 (Opening hours for local government controlled areas)

- (1) Schedule 4, item 1, column 1, after ‘All’—
insert—
 canoe/kayak pontoons,
- (2) Schedule 4, item 1, column 2, after ‘daily’—
insert—
 unless traversing a park or reserve is necessary and for the purpose of accessing or leaving a boat ramp or landing.

8 Amendment of sch 6 (Identification of local government controlled areas)

- (1) Schedule 6, below schedule heading, ‘Section 5’—
omit, insert—
 schedules 1, 2 and 4

- (2) Schedule 6, first table, item 2, column 1 and column 2,

Jetty, Fixed Platform – Elizabeth St Harbour	Coochiemudlo Island – Elizabeth Street
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—
omit.

- (3) Schedule 6, first table, item 11, column 1 and column 2,

Jetty, Fixed Platform – Banana St Harbour	Mainland Areas – Redland Bay
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—
omit.

- (4) Schedule 6, first table, after item 15—
insert—

Jetty, Pontoon - Elizabeth St Harbour	Coochiemudlo Island - Elizabeth Street
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 Redland City Council
 Amending Subordinate Local Law No. 2
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Jetty, Pontoon – Masters Ave Harbour	Victoria Point – Masters Avenue
Jetty Pontoon – Yabby Street	Dunwich – Yabby Street

- (5) Schedule 6, first table, item 19, column 1 for ‘Jetty, Pontoon – Banana St Harbour’, after ‘Jetty, Pontoon –’—

insert—

Marina –

- (6) Schedule 6, second table, after item 4—

insert—

Ramp, Barge – Masters Ave Harbour	Victoria Point – Masters Avenue
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- (7) Schedule 6, second table, item 7, column 1 for ‘Ramp, Barge – Weinam Street’, ‘Barge’—

omit, insert—

Boat

- (8) Schedule 6, second table, item 9, column 2 for ‘Redland Bay – The Boulevard’, after ‘Boulevard’—

insert—

(Moores Road)

- (9) Schedule 6, second table, after item 20—

insert—

Ramp, Boat – William Street North	Cleveland – William Street
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- (10) Schedule 6, second table, item 22, column 1 for ‘Boat Ramp – William Street’, ‘Boat’—

omit.

- (11) Schedule 6, second table, item 22, column 1 for ‘Boat Ramp – William Street’, after ‘Ramp’—

insert—

, Boat

- (12) Schedule 6, second table, item 22, column 1 for ‘Boat Ramp – William Street’, after ‘Street’—

insert—

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 Redland City Council
 Amending Subordinate Local Law No. 2
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South

- (13) Schedule 6, second table, after item 22—

Insert—

Ramp, Boat – Masters Ave Harbour	Victoria Point – Masters Avenue
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- (14) Schedule 6, second table, item 28, column 1 and column 2, ‘Ramp, Combined – Masters Ave Harbour Victoria Point – Masters Avenue’—

omit.

- (15) Schedule 6, second table, after last item—

insert—

Floating Walkway – Colburn Ave	Victoria Point – Colburn Avenue
Floating Walkway – William St	Cleveland – William Street

- (16) Schedule 6, after second table—

insert—

Canoe/kayak pontoons

Description	Location Description
Pontoon – canoe/kayak	Mainland - Ormiston

9 Amendment of sch 7 (Dictionary)

- (1) Schedule 7—

insert—

bona fide user, for a park or reserve, means a person who is genuinely using or in the process of using a park or reserve for a lawful purpose relevant to the community purpose of the park or reserve which, for the purpose of this definition, does not include using a park or reserve for the sole purpose of parking or leaving standing a motor vehicle.

Examples of a bona fide user – A person who uses the park for a picnic or barbeque or for swimming in the foreshore.

Examples of someone who is not a bona fide user – A person who parks their vehicle in a park or reserve while they attend to other business or personal affairs outside of the park or reserve.

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*Redland City Council**Amending Subordinate Local Law No. 2**(Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*

canoe/kayak pontoon means a canoe/kayak pontoon identified in schedule 6.

- (2) Schedule 7, definition *landing*, after ‘wharf’—
insert—
, but does not include a canoe/kayak pontoon

State Interest Check Report

Redland City Council				
State Interest Check on Proposed <i>Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015</i>				
Agency: Queensland Fire and Emergency Services				
Section	Comment Type	Agency Issue	Agency Suggested Action to rectify issue	Local Government proposed response/actions to agency comments
6 (7) (b)		'Fire appliance' represents the diverse range of QFES vehicles.	Replace term 'fire-engine' with 'fire appliance' in section (7) (b).	Section 6, (7) (b) has been updated to reflect fire appliance

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