

# Ipswich

City Council

*Subordinate Local Law No. 7.1  
(Local Government Controlled  
Areas and Roads) 2013*

# Contents

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<b>PART 1</b>	<b>PRELIMINARY .....</b>	<b>2</b>
1	<i>Short title.....</i>	2
2	<i>Authorising local law.....</i>	2
3	<i>Object.....</i>	2
4	<i>Definitions .....</i>	2
<b>PART 2</b>	<b>PERMIT REGULATED ACTIVITIES .....</b>	<b>2</b>
5	<i>Information and material required for permit application.....</i>	2
6	<i>Conditions of permit.....</i>	2
7	<i>Prohibited activities .....</i>	3
8	<i>Permit regulated activity.....</i>	3
<b>SCHEDULE 1</b>	<b>DICTIONARY.....</b>	<b>4</b>
<b>SCHEDULE 2</b>	<b>INFORMATION FOR APPLICATIONS AND PERMIT CONDITIONS.....</b>	<b>5</b>
	Alteration or Improvement to Local Government Controlled Areas and Roads.....	5
	Depositing of goods or materials on a road (including a footpath); .....	6
	Bringing or driving motor vehicle into local government controlled areas.....	6
	Exclusive use of park, reserve or facility for ceremony, celebration, recreational or other activity – section 11 (Use of a park reserve or facility for ceremony, celebration , recreational or other activity) of the authorising law. ....	7
	Use of park reserve or facility for ceremony, celebration, recreational or other activity involving 100 or more people– section 9 (Permit regulated activity). ....	8
<b>SCHEDULE 3</b>	<b>PROHIBITED ACTIVITIES .....</b>	<b>9</b>
<b>ENDNOTES.....</b>		<b>11</b>
1	<i>Index to Endnotes.....</i>	11
2	<i>Date to which amendments incorporated .....</i>	11
3	<i>Key.....</i>	11
4	<i>Table of reprints .....</i>	11
5	<i>List of legislation .....</i>	11
6	<i>List of annotations .....</i>	12

## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 7.1 (Local Government Controlled Areas and Roads) 2013*.

### **2 Authorising local law**

The making of the provisions in this subordinate local law is authorised by *Local Law No.7 (Local Government Controlled Areas and Roads) 2013* (the authorising local law).

### **3 Object**

The purpose of this subordinate local law is to supplement *Local Law No.7 (Local Government Areas and Roads) 2013* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and to preserve features of the natural and built environment and the amenity of local government controlled areas and roads and to protect the assets of the local government.

### **4 Definitions**

- (1) The dictionary in the Schedule (Dictionary) defines particular words used in this subordinate local law.
- (2) The dictionaries in the authorising law, *Local Law No.1 (Administration) 2013* and *Local Law No.4 (Permits) 2013* also define words used in this local law.

## **Part 2 Permit regulated activities**

### **5 Information and material required for permit application**

For the purposes of section 6(1)(c)(iv) ( Application for a permit) of *Local Law No. 4 (Permits) 2013* an application for a permit to undertake a permit regulated activity specified in column 1 of schedule 2 (unless otherwise required by the local government) must be accompanied by the information, material and documents prescribed in column 2 of schedule 2.

### **6 Conditions of permit**

For the purposes of section 9(3) (Conditions of licence) of *Local Law No. 4 (Permits) 2013*, the conditions set out in column 3 of schedule 2 which relate to the activities specified in column 1 of schedule 2 will apply to any permit granted by the local

government unless otherwise specified in the permit document.

## **7 Prohibited activities**

For the purposes of section 8(1) (Prohibited activities) of the authorising local law, the activities prescribed in column 2 of schedule 3 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 3.

## **8 Permit regulated activity**

For the purposes of section 12 (Permit regulated use of parks and reserves) of the authorising local law any organised event or gathering of 100 or more people in a park is a permit regulated activity.

## Schedule 1                      Dictionary

### Section 4

**council** means the Ipswich City Council.

**reserve** means land which is placed under the control of the local government pursuant to legislation.

Example—

This would include a stock route placed under the control of the local government as well as protected areas placed under the control of the local government pursuant to the *Nature Conservation Act 1992*.

**shared path** is an area open to the public (except a separated footpath) that is designated for, or has as one of its main uses, use by both the riders of bicycles and pedestrians, and includes a length of path for use by both bicycles and pedestrians beginning at a shared path sign, or shared path road marking, and ending at the nearest of the following—

- (a) an end shared path sign or end shared path road marking;
- (b) a no bicycles sign or no bicycles road marking;
- (c) a bicycle path sign or bicycle path road marking;
- (d) a road (except a road-related area);
- (e) the end of the path.

**shared path road marking** means a road marking consisting of a pedestrian symbol above a bicycle symbol.

**unregistered vehicle** means a vehicle that is not registered or is not required to be registered under the Transport Operations (Road Use Management - Vehicle Registration) Regulation 1999.

**vehicle** see the Transport Operations (Road Use Management) Act 1995, schedule 4, definitions.

**wheelchair** see the Transport Operations (Road Use Management) Act 1995, schedule 4, definitions.

**wheeled recreational device** see the Transport Operations (Road Use Management) Act 1995, schedule 4, definitions.

## Schedule 2 Information for applications and permit conditions

Sections 6 and 7

Column 1 Regulated Activity	Column 2 Documents, material or information required to accompany application for permit	Column 3 Standard Conditions
Alteration or Improvement to Local Government Controlled Areas and Roads <sup>1</sup>		<p>(a) No vehicles are to be driven onto the grassed areas of a park and/or reserves unless otherwise approved by Council.</p> <p>(b) All necessary actions shall be undertaken to ensure the safe passage of all road users with a minimum of delay and to ensure access to adjacent properties is maintained.</p> <p>(c) All residents, businesses, emergency service providers and public transport operators directly affected by the activity must be advised of the planned disruption at least 24 hours before the activity commences.</p> <p>(d) Provision must be made to protect the integrity of all public utility services during the works. A "Dial Before You Dig" search must be undertaken before works commence to assist with this task.</p> <p>(e) Any direction or instruction given by the Police or a Council officer relating to the construction of access is to be promptly obeyed.</p> <p>(f) In the case of works in cemeteries:</p> <ul style="list-style-type: none"> <li>- The disturbance or exhumation must only be carried out by a recognised undertaker;</li> <li>- Conservation work on graves and headstones in historic cemeteries that are on local government land must comply with the principles, policies and guidelines as set out in the Conservation Management Plans for: Ipswich General Cemetery Talleghalla Cemetery</li> </ul>

<sup>1</sup> See the definition of *alteration or improvement to local government controlled areas and roads* in schedule 1.

<b>Column 1 Regulated Activity</b>	<b>Column 2 Documents, material or information required to accompany application for permit</b>	<b>Column 3 Standard Conditions</b>
		Haigslea Lawn Cemetery Stone Quarry Cemetery
Depositing of goods or materials on a road (including a footpath);		<p>(a) All necessary actions must be undertaken to protect the public from nuisance, injury and loss.</p> <p>(b) The site is to be left clean and tidy after the activity has been completed.</p> <p>(c) Council property must be left clean, tidy and undamaged.</p> <p>(d) Depositing of goods or material can only occur for the dates and times specified on the permit.</p> <p>(e) The permit must be produced for inspection by an authorised person upon demand.</p>
Bringing or driving motor vehicle into local government controlled areas		<p>(a) The permit holder must ensure the vehicle, the subject of the permit shall, whilst in or upon a local government controlled area is used strictly and only in accordance with the provisions of the permit.</p> <p>(b) Unless sooner revoked, this permit shall remain in force from the starting date up to and including the expiry date written on permit.</p> <p>(c) Upon breach of any or all of the conditions of this permit, the permit may be revoked by Council, or an authorised person.</p> <p>(d) This permit must be kept in the vehicle and displayed at all times so as to be visible from the outside.</p> <p>(e) The permit holder is required to hold or obtain public liability insurance and indemnifies the Council for any damages arising from permit activities.</p>

<b>Column 1 Regulated Activity</b>	<b>Column 2 Documents, material or information required to accompany application for permit</b>	<b>Column 3 Standard Conditions</b>
Exclusive use of park, reserve or facility for ceremony, celebration, recreational or other activity – section 11 (Use of a park reserve or facility for ceremony, celebration, recreational or other activity) of the authorising law.		(a) The venue must not be re-hired to any other entity (b) Vehicles are not permitted other than on designated roads and car park areas (c) Council property must be left clean, tidy and undamaged (d) Activities must not cause nuisance to others (e) Nails or similar fixings must not be used on Council infrastructure or vegetation (f) Ipswich City Council must be notified as soon as practicable of any loss of or damage to Council property (g) Costs associated with Emergency Services, Security or Duty Officer callouts, cleaning or repairs will be the responsibility of the Permit Holder where an act or omission on their behalf has caused that to occur (h) Animals other than dogs are not permitted (i) Pegs or stakes must not be driven into the ground (j) All electrical equipment must be tested and tagged and in current test date before use (k) All portable electrical equipment being used during the event must be connected to a portable safety switch (l) All portable safety switches must be tested at the start of each day, or before every use, to ensure the power cuts if there is a power surge



<b>Column 1 Regulated Activity</b>	<b>Column 2 Documents, material or information required to accompany application for permit</b>	<b>Column 3 Standard Conditions</b>
<p>Use of park reserve or facility for ceremony, celebration, recreational or other activity involving 100 or more people—section 9 (Permit regulated activity).</p>		<p>(a) The venue must not be re-hired to any other entity            (b) Vehicles are not permitted other than on designated roads and car park areas            (c) Council property must be left clean, tidy and undamaged            (d) Activities must not cause nuisance to others            (e) Nails or similar fixings must not be used on Council infrastructure or vegetation            (f) Ipswich City Council must be notified as soon as practicable of any loss of or damage to Council property            (g) Costs associated with Emergency Services, Security or Duty Officer callouts, cleaning or repairs will be the responsibility of the Permit Holder where an act or omission on their behalf has caused that to occur            (h) Animals other than dogs are not permitted            (i) Pegs or stakes must not be driven into the ground            (j) All electrical equipment must be tested and tagged and in current test date before use            (k) All portable electrical equipment being used during the event must be connected to a portable safety switch            (l) All portable safety switches must be tested at the start of each day, or before every use, to ensure the power cuts if there is a power surge</p>

## Schedule 3 Prohibited activities

### Section 7

<b>Column 1 Local Government controlled area or road</b>	<b>Column 2 Prohibited Activity</b>
All footpaths	Use of a motor vehicle (whether or not the motor is running) where it is travelling along the footpath, except for motorised scooters, wheelchairs, authorised vehicles and vehicles authorised by any Act.
All local government controlled areas and roads	Contravening an official sign.
All shared paths that are signed by the local government to be a shared path.	Use of a motor vehicle (whether the motor is running or not) where it is travelling along the shared path, except for motorised scooters, wheelchairs, authorised vehicles or vehicles authorised pursuant to any other law.
All jetties and boat ramps within the local government area	Fishing in such a manner as to obstruct or impede vessels or vehicular or pedestrian traffic accessing the jetty or boat ramp.  Gutting, cleaning or washing fish.  Extinguishing, diminishing or increasing any light illuminating the jetty or boat ramp.
All local government controlled areas	Use of cameras including mobile phones with camera interfacing at changing rooms or changing facilities and public toilets in all local government controlled areas

<b>Column 1</b> <b>Local Government controlled area or road</b>	<b>Column 2</b> <b>Prohibited Activity</b>
All local government controlled areas and roads	<ol style="list-style-type: none"><li>1. Act in a way or do anything that unreasonably disturbs or is likely to disturb:<ol style="list-style-type: none"><li>(a) another person's enjoyment of the local government controlled area; or</li><li>(b) the reasonable use or enjoyment of land adjacent to the local government controlled area.</li></ol></li><li>2. Break in a horse.</li><li>3. Remove, alter, deface, damage or otherwise interfere with any advertisement exhibited by the local government.</li><li>4. Interfere with any structure, plant, turf, sand, clay, soil or other material;</li><li>5. Dispose of any rubbish of any kind other than in a waste container provided for that purpose;</li><li>6. Deposit, store or abandon any goods, spoil, garden refuse or materials of any kind;</li><li>7. Otherwise do any act or omit to do any act which pollutes, fouls, litters or interferes with a local government controlled area or road, including to graffiti the surface of any structure, concreted or paved area or vegetation within a park with paint or ink.</li><li>8. Play golf, other than on a designated golf course</li><li>9. Post or affix bills, posters or advertisements.</li><li>10. Cause, permit or allow a water tap to run water to waste; or</li><li>11. Remove from the park any timber or wood provided by the local government for use as firewood</li><li>12. Light or maintain a fire other than in a fireplace or barbeque constructed or provided by the local government</li></ol>

## Endnotes

### 1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

### 2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the

### 3 Key

Key to abbreviations in list of legislation and annotations

#### Key Explanation

amd = amended  
ch = chapter  
def = definition  
div = division  
hdg = heading  
ins = inserted  
om = omitted  
p = page  
pt = part  
renum = renumbered  
rep = repealed  
s = section  
sch = schedule  
sdiv = subdivision

### 4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law – no amendments

### 5 List of legislation

#### Original Local Law

*Subordinate Local Law No.7.1 (Local Government Controlled Areas and Roads) 2013*

date of gazettal 5 July 2013

## **6 List of annotations**